Ombudsman
ONTARIO

ONTARIO'S WATCHDOG

2016 2017

ANNUAL REPORT

Ombudsman
ONTARIO

ONTARIO'S WATCHDOG

Office of the Ombudsman of Ontario

We are

An independent office of the Legislature that receives and investigates public complaints about Ontario government organizations and municipalities, universities and school boards. The Ombudsman recommends solutions to individual and systemic administrative problems.

Our Values

Fair treatment
Accountable administration
Independence, impartiality
Results: Achieving real change

Our Mission

We strive to be an agent of positive change by promoting fairness, accountability and transparency in the public sector.

Our Vision

A public sector that serves citizens in a way that is fair, accountable and transparent.

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10th Floor, South Tower
Toronto, Ontario
M5G 2C8

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June 27, 2017

The Honourable Dave Levac
Speaker
Legislative Assembly
Province of Ontario
Queen's Park

Dear Mr. Speaker,

I am pleased to submit my Annual Report for the period of April 1, 2016 to March 31, 2017, pursuant to section 11 of the *Ombudsman Act*, so that you may table it before the Legislative Assembly.

Sincerely,

Paul Dubé,
Ombudsman

Office of the Ombudsman of Ontario
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10th Floor, South Tower
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"This Office has long had a reputation as one of the most exemplary and impactful ombudsman offices in the world, thanks to the excellent work of our team. It is a privilege to lead that team, and to present this year's snapshot of that work."

– Ombudsman Paul Dubé

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OMBUDSMAN'S MESSAGE

NEW ERA OF OVERSIGHT

As I report on this, my first full year as Ontario Ombudsman, I am encouraged by several recent developments that signal a trend toward stronger oversight of public sector bodies in this province.

The good news relates not only to the work of our Office, but to broader changes to legislation and accountability mechanisms that we are happy to support.

It has been a remarkable year, as our Office has been able to help people with a wider array of issues than ever before – thanks to our expanded mandate, which now comprises not just provincial government administration but municipalities, universities and school boards.

Achieving positive change

Most of the **21,328** cases we received in 2016-2017 (the first complete fiscal year of this new jurisdiction) were quickly resolved, without formal investigation – demonstrating how we work effectively behind the scenes.

At the same time, our systemic investigations continued to prompt constructive change. At the provincial level, work on fundamental changes to police de-escalation training and services for adults with developmental disabilities is ongoing, as a result of two of our latest reports. At the municipal level, the City of Brampton welcomed our suggestions for a more transparent process for non-competitive procurements.

We also saw our recommendations embraced and complemented by the work of two independent reviewers appointed by the province: Justice Michael Tulloch's review of police oversight, and former federal correctional investigator Howard Sapers' review of the practice of segregation, or solitary confinement, of inmates in the province's jails.

Both of these reviews dealt with matters that our Office also investigated – the former in our 2008 and 2011 reports on the Special Investigations Unit; the latter in our recent report on segregation tracking, *Out of Oversight, Out of Mind*. I was pleased to collaborate with both reviewers, in addition to making public submissions and recommendations, so they could benefit from our extensive expertise in both areas.

The results so far have been positive: The Ministry of Community Safety and Correctional Services committed to addressing all of the recommendations in my and Mr. Sapers' reports on segregation, and it is acting, with the Ministry of the Attorney General, to implement measures in Justice Tulloch's report that will finally strengthen the SIU as this Office recommended years ago.

I look forward to the promised changes to the *Ministry of Correctional Services Act* and the *Police Services Act* that will bring long-overdue clarity to terms like "segregation" and "serious injury" and bolster oversight mechanisms in both areas. Our Office will continue to monitor these developments and to oversee these mechanisms.

Ombudsman Paul Dubé

Promoting accountability

Similarly, the province's recent review of municipal legislation – to which we also provided submissions – will bring the weight of law to practices we have been recommending to municipalities for some time: Establishing codes of conduct and integrity commissioners at the local level. Along with a much-needed new legislative definition of "meeting," these changes will help municipalities provide residents with enhanced and more consistent accountability.

Much of our work with school boards has been in the same vein – encouraging transparent processes and clear communication with the public they serve. Codes of conduct and accountability mechanisms are advisable at this level as well. One thing our interaction with these organizations in communities across Ontario has underlined is that municipalities and

school boards are the ground floor of our democracy. Ensuring that they are fair, open and accountable is every bit as important as it is for large provincial organizations.

Whether we are gathering information related to a complaint – or engaging with public sector officials at outreach events across the province, as many of my staff and I have done this past year – we emphasize that we always seek to resolve problems at the lowest possible level. This means working to find solutions within the organization or community that is the source of the complaint. When that can't be done, our Office is there to help.

The value we provide lies in our role as an impartial, independent office of last resort. We do not replace internal or local accountability mechanisms, but can suggest improvements, verify that they are working as they should, or investigate and propose solutions to systemic problems that are beyond their reach.

Resolutions and relationships

The impact of our systemic investigations is well known – and deservedly so, given that several of them continue to prompt constructive change, even a decade later. However, as this report illustrates, the value of our oversight is also demonstrated daily by the work of our frontline staff, the Early Resolution Officers who respond to calls and complaints and embody what most ombudsman work is all about.

This report is full of stories about that kind of work: The quick resolutions that are facilitated through patient listening or creative, critical thinking; the right calls or informal inquiries to the right official at the right time; the complaint trends that are proactively flagged to senior bureaucrats; or the gaps in policy that are identified and fixed, without formal investigation.

October 12, 2016: Meeting of officers and clerk of the Legislature in Toronto – left to right: Chief Electoral Officer Greg Essensa, Integrity Commissioner David Wake, Ombudsman Paul Dubé, former Clerk Deborah Deller, Auditor General Bonnie Lysyk, Provincial Advocate for Children and Youth Irwin Elman, French Language Services Commissioner François Boileau.

Our staff help hundreds of people this way, week in and week out. Together with our investigators and all our other teams, the relationships they build – both with complainants and the officials in the complained-about organizations – establish the credibility that allows this Office to influence broader reforms affecting millions of Ontarians, and in turn help this province maintain a strong international reputation for effective oversight.

As well, as I have emphasized throughout this past year, by building relationships with stakeholders through collaboration, we are able to ensure our voice is heard when the situation demands – when the case is urgent, resolution is not possible, or simply taking too long.

This report notes numerous cases where our proactive work with the most complained-about organizations and ministries has yielded good progress on longstanding issues – and a few where those issues had to be escalated and investigated. We have seen good co-operation from the organizations under investigation in almost every case.

I meet with the head of the Ontario Public Service and Secretary of the Cabinet, Steve Orsini, on a regular basis to discuss complaint trends and flag brewing provincial issues, as do our senior staff with the most complained-about ministries and programs. Ombudsman staff also frequently have productive discussions with officials from broader public sector organizations across the province – sometimes related to complaints, but often to share general information about good practices for fair, transparent processes and policies.

Sharing expertise

In this past year, I have also been pleased to develop relationships and share expertise with my fellow ombudsmen from across Canada and around the world, other officers of the Ontario legislature, as well as integrity commissioners and ombudsmen for municipalities, universities and school boards.

My colleagues have seen a trend toward stronger oversight, too. The Saskatchewan and Alberta ombudsmen have had their mandates expanded to include municipalities. My Ontario colleagues, the Advocate for Children and Youth, the Integrity Commissioner and the Financial Accountability Officer – as well as the new Patient Ombudsman within the Ministry of Health and Long-Term Care – have oversight responsibilities that did not exist a few years ago. Local ombudsmen and integrity commissioners have proliferated in Ontario in the past year.

Along with this welcome growth in oversight, however, comes a responsibility to ensure it is effective – a role that we take seriously with regard to the bodies we oversee. We also continue to help and train administrative watchdogs from across Canada and around the world with our annual training course in conducting systemic investigations, "Sharpening Your Teeth."

I was honoured to be acclaimed to the board of the International Ombudsman Institute as regional president for North America this past fall, as well as to bolster our Office's participation in the Forum of Canadian Ombudsman this spring. This Office has long had a reputation as one of the most exemplary and impactful ombudsman offices in the world, thanks to the excellent work of our team. It is a privilege to lead that team, and to present this year's snapshot of that work.

Looking ahead: Five-year plan

The core work of our Office is handling tens of thousands of complaints per year – resolving most of them informally, identifying issues proactively, conducting investigations as warranted and publishing 3-5 reports per year on systemic investigations affecting large numbers of people. We are committed to building on this work in the years ahead. In addition, I want to share some of our other priorities for the near future, which I believe will enhance the value we provide to Ontarians:

Years 1-2:

- Create and publish values, mission and vision statements.
- Focus on establishing productive and constructive working relationships with key stakeholders.
- Build awareness of our Office in new areas of jurisdiction; educate stakeholders and public about our role through speeches and presentations, presence at stakeholder events and communications tools.
- Proactively update stakeholders on issues and trends, with a view to solving problems and improving governance without the need for formal investigations.
- Provide online resources on what to expect from our Office and on best practices in handling complaints.
- Develop new resources to reflect *Municipal Act* changes, including best practices for establishing local ombudsman and integrity commissioner roles, and a searchable online digest of open meeting cases.
- Develop an online mechanism for public feedback on the services we provide.
- Increase participation in national and international ombudsman community.
- Continue to promote a dynamic and positive work environment where teams and individuals thrive and feel valued and rewarded by their work.
- Continue recruitment to reach full staff complement of **143** full-time employees.
- Enhance staff training and support, including dealing with challenging complaints, crisis situations and mental health issues; continue to promote mental health and wellness in the workplace.
- Review accessibility and security of our workspace.

April 26, 2017: Ombudsman Paul Dubé (back row, third from left) with fellow members of the International Ombudsman Institute board, Vienna.

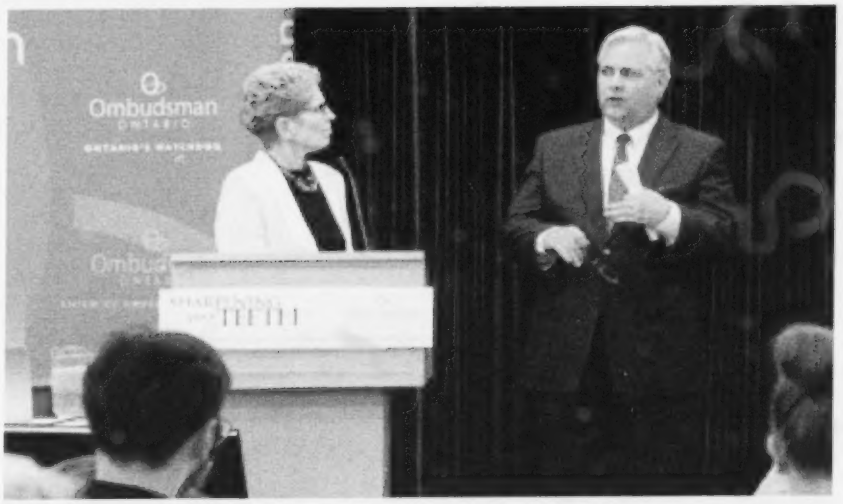
December 2, 2016: Ombudsman Paul Dubé meets with the Deputy Ministers' Council, flanked by Deputy Ombudsman Barbara Finlay and Steve Orsini, Secretary of the Cabinet and head of the Ontario Public Service.

Years 3-4:

- Provide orientation on Ombudsman oversight for new and returning elected representatives (MPPs, municipal council members and school board trustees) after 2018 elections.
- Continue to develop interactive online public resources on the role of the Office.
- Develop guides and training for municipal and school board stakeholders regarding establishing local accountability officers and complaint mechanisms.
- Measure reach and awareness of our Office and develop strategic plan to target communities that would most benefit from more outreach and education.
- Collaborate and consult with public service leaders as they move forward with plans to transform and modernize the public service.
- Review our complaint handling process to ensure efficient use of resources and timely, meaningful responses; continue transition to paperless system.
- Continue to develop staff training, including professional development and mentoring programs to maximize staff potential.
- Update and upgrade case management system to a web-based tool, to improve efficiency and complaint analysis functionality.
- Develop strategy for leveraging new technologies for use in investigations, complaint analysis and public interaction.
- Collaborate with ombudsman and relevant professional organizations to share expertise, best practices, training and innovation.

Year 5:

- Review impact of five years of oversight of broader public sector on improving accountability and governance.
- Find opportunities to highlight best practices in delivering service to the public, based on our experience and complaint analysis.
- Survey best practices among ombudsman community and determine opportunities to adapt to changing public demands.
- Measure success in establishing productive relationships with municipal, university, and school board stakeholders.
- Continue to drive positive change and improve governance in all areas of jurisdiction.



October 25, 2016: Premier Kathleen Wynne addresses "Sharpening Your Teeth" investigative training conference for ombudsmen and administrative watchdogs.

May 2, 2016: Ombudsman information session at Queen's Park. Above left, Ombudsman Paul Dubé speaks with NDP Leader Andrea Horwath; above right (from left), MPP Bill Walker (PC – Bruce-Grey-Owen Sound), Ontario Chief Human Rights Commissioner Renu Mandhane, Ombudsman Paul Dubé, Deputy Ombudsman Barbara Finlay, and MPP Jim McDonell (PC – Stormont-Dundas-South Glengarry).

ABOUT OUR OFFICE

"The Ombudsman's intervention serves not only the public interest, but can be in the best interest of the organization as well. Either the organization's work will be validated by an independent third party, or constructive feedback will be provided that will enable it to address the root causes of complaints and prevent them from recurring.

"If an ombudsman can establish independent yet collaborative relationships, when a systemic investigation is required, the recommendations that flow from it are more likely to be accepted and implemented.

"Occasionally, if a public sector body does not see the value of working collaboratively towards appropriate outcomes and accepting recommendations that will benefit citizen stakeholders, we have another important tool:
Ultimately, our power is in our voice."

– Ombudsman Paul Dubé, keynote speech to Forum of Canadian Ombudsman, May 15, 2017, Ottawa

WHAT IS AN OMBUDSMAN?

An ombudsman is an independent and impartial officer who raises citizens' concerns with government bodies. The first parliamentary ombudsman was established in Sweden in 1809; the term "ombudsman" is Swedish for "citizen's representative."

As an office of last resort, an ombudsman typically intervenes when issues cannot be resolved within the government body. The ombudsman acts impartially, not on behalf of either party.

If a complaint has merit, the ombudsman will first seek to resolve the dispute at the lowest level possible, but will conduct an investigation when necessary. Ombudsman findings and recommendations are based on an impartial assessment of the facts and evidence.

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Values, Mission and Vision

Our Values

Fair treatment
Accountable administration
Independence, impartiality
Results: Achieving real change

Our Mission

We strive to be an agent of positive change by promoting fairness, accountability and transparency in the public sector.

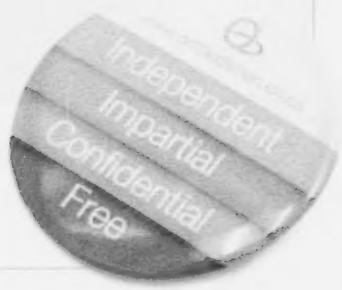
Our Vision

A public sector that serves citizens in a way that is fair, accountable and transparent.

Our Office was established in 1975 under the Ombudsman Act.

Per the Ombudsman Act, complaints to our Office are confidential and investigations are conducted in private. Our services are also free of charge.

> In Canada, ombudsmen are appointed by and accountable to the legislatures of the relevant province. An ombudsman investigates and reports on citizens' complaints, and makes an annual report, although the recommendations are not binding.
>
> *The Oxford Companion to Canadian History*



WHO WE ARE

Ombudsman

Paul Dubé

Deputy Ombudsman

Barbara Finlay

Complaint intake, triage, referrals, issue identification and analysis, research, trends analysis, and complaint resolutions.

Director:
Eva Kalisz Rolfe

Individual investigations, proactive work, complex complaint resolutions, identification of trends and systemic issues.

Director:
Sue Haslam

Systemic issue investigations, extensive field work, follow-up.

Director:
Gareth Jones

Legal support, evidence analysis, report preparation, municipal closed meeting investigations.

General Counsel:
Laura Pettigrew and Wendy Ray

Reports and publications, website, media relations, social media, video, presentations and outreach activities.

Director:
Linda Williamson

Financial services, human resources, administration and facilities, information technology.

Director:
Scott Miller

May 18, 2017: The Ombudsman and (most of) our staff, outside our offices at 483 Bay Street, Toronto.

WHAT WE DO

Refer

Direct complainants to the appropriate officials or complaint process.

Resolve

Find a way to settle the issue without need for formal investigation.

Advise

Answer general questions from MPPs and broader public sector officials.

Collaborate

Work proactively with officials to address complaint trends before they grow.

Promote

Support independent oversight, accountability and transparency at home and abroad.

Resolutions and reports are the best-known results of the Ombudsman's work, but only part of what it takes to handle tens of thousands of cases every year. **Here is a glimpse of the different types of work we do:**

Investigate

Gather evidence to get to root of individual or systemic issues that aren't easily resolved.

Comment

Provide expertise and advice on request regarding new legislation or policy.

Change

Recommend constructive changes to fix individual and systemic problems.

Engage

Interact with public and stakeholders through speeches, events and media.

Pursue

Follow up to ensure recommendations are effective and issues do not recur.

Monitor

Track official responses to recommendations.

Validate

Where administrative processes are working well, give credit where it's due.

What to expect

Make a complaint: We take complaints via the complaint form on our website, by email, phone or letter, or in person. Our staff will contact you for more details if necessary. We will not divulge your name or information to anyone without your consent.

Or ask a question: Not a complaint? No problem – we also handle inquiries. Our staff can answer general questions or point you in the right direction.

Mandate: If your complaint is not about an Ontario government or broader public sector body within our mandate, we will refer it accordingly.

Last resort: If you haven't tried existing complaint mechanisms, we'll suggest you do that first – and return to us if the issue isn't resolved.

Early resolution and review: We always seek to resolve complaints at the lowest level possible. To do so, we often make informal inquiries and requests for information with the relevant bodies, for example, to learn more about their processes and policies.

Investigation: If we are unable to resolve the matter informally, the Ombudsman may decide to conduct an investigation. The public sector body is formally notified, and we may conduct interviews and request documents and any other relevant evidence.

Systemic investigation: If the Ombudsman determines that there is a potential systemic issue underlying the complaints, he may decide to launch a systemic investigation; these are often announced and reported on publicly. The public sector body under investigation is notified and given a chance to respond before any report is published.

Results: We communicate the outcome of individual investigations and most reviews and informal resolutions to complainants and the relevant public sector bodies, as warranted. Summaries of many such cases are published in our annual reports and other communications. When the Ombudsman's recommendations are accepted, our staff follow up to ensure they are implemented, and we monitor to ensure problems don't recur.

ABOUT THIS REPORT

Our Office oversees more than **1,000** public sector bodies, comprising more than **500** Ontario government ministries, programs, agencies, boards, commissions, corporations and tribunals, as well as **444** municipalities, **72** school boards and **10** school authorities, and **21** universities.

This report is organized by topic area, rather than by government ministry or agency, arranged by case volume, as shown in the accompanying chart: For example, the first two categories are Law & Order and Social Services, because they generated the highest number of cases. Each topic chapter discusses the main complaint trends and significant cases of the past year.

A breakdown of complaints by ministry, program, municipality, etc. can be found in the Appendix to this report, and on our website – where complaint data for municipalities and school boards can also be found on interactive maps.

Watch for "Good to Know" boxes throughout the report for other explanatory notes.

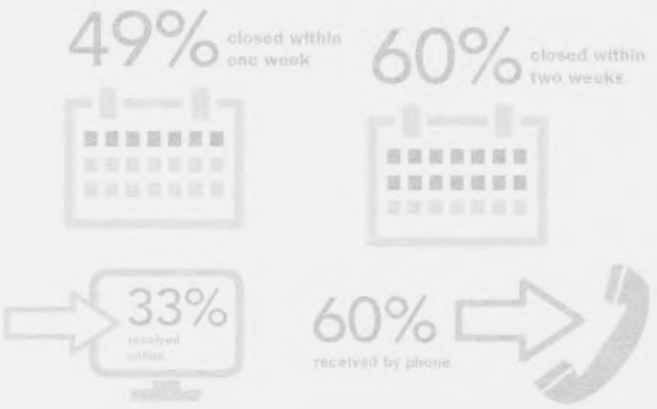
Cases by topic area

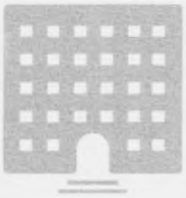
- LAW & ORDER
- SOCIAL SERVICES
- MUNICIPALITIES
- EDUCATION
- EMPLOYMENT
- HEALTH
- TRANSPORTATION
- MONEY & PROPERTY
- ENERGY & ENVIRONMENT
- CERTIFICATES & PERMITS

Cases by type

Within each topic area, the most common complaint – by far – is service delivery. Here are the 10 most common types of complaints we receive.

REPORT HIGHLIGHTS





2,667
general cases received

109 closed meeting cases received

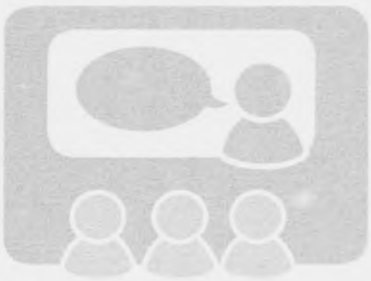
Municipalities

945
cases received

School boards

175 cases received

Universities



Outreach with stakeholders

102 outreach events in 2016-2017

in **28** Ontario communities

Training/consultation with representatives from **4** provinces, **2** territories, **7** countries

Communications

1,457 news articles published in fiscal 2016-2017

511 broadcast media stories in fiscal 2016-2017

501,120 people
Facebook reach

3.6 million
Twitter impressions

9,524
YouTube views

Aggregate audience
219 million people

Ad value
$2.5 million

178,185 website visitors from 180 countries

823,091 website pageviews

Systemic investigation reports

April 1, 2016 to date

32 recommendations
Out of Oversight, Out of Mind – April 2017

15 best practices
Processing Progress – March 2017

22 recommendations
A Matter of Life and Death – June 2016

60 recommendations
Nowhere to Turn – August 2016

YEAR IN REVIEW CASES BY TOPIC

LAW & ORDER

Overview

This is consistently the largest category of complaints to our Office, dealing mostly with organizations within the Ministry of Community Safety and Correctional Services and the Ministry of the Attorney General. Although the Ombudsman does not have direct jurisdiction over municipal police or the courts, our oversight of these ministries has resulted in reforms to police training, Legal Aid Ontario and how some administrative tribunals operate.

Trends in cases – policing

Policing in Ontario has recently been under scrutiny on several fronts. New regulations came into force on the practice of carding, and an independent review called for sweeping changes to police oversight. Our Office contributed to consultations on these reforms. We also followed up on previous recommendations to improve police training in de-escalating conflict situations, and to help officers dealing with operational stress injuries.

Carding and general police complaints

As of January 2017, the practice of carding (when police stop a person and ask for identification, also known as "street checks") has been regulated across the province. Some of these regulations reflect recommendations our Office made in a submission to the Ministry of Community Safety and Correctional Services' consultations in August 2015, including the duty to inform people they are not required to provide identifying information, limitations on when information may be collected, training for police, providing those who are checked with a receipt that documents the interaction, and rules on information retention.

We also received **271** complaints about municipal police services, and **121** about the Ontario Provincial Police. Most complaints about police operations and conduct were referred to the Office of the Independent Police Review Director (OIPRD).

Police oversight – independent review

After consultations across the province over the past year, independent reviewer Justice Michael Tulloch issued 129 recommendations to reform Ontario's oversight of police. Many echoed those made by the Ombudsman in his submission to the review, including that the Office of the Independent Police Review Director and the Ontario Civilian Police Commission be included in our Office's jurisdiction – as the Special Investigations Unit (SIU) already is. We received **26** complaints about the OIPRD in 2016-2017.

TOP 5 CASE TOPICS

1. Correctional facilities — 3,998
2. Tribunals — 278
3. Municipal police — 271 (outside our jurisdiction)
4. Ontario Provincial Police — 121
5. Legal Aid Ontario — 111

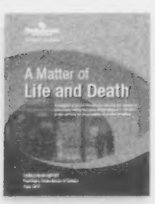
> The Ombudsman is ideally placed to handle complaints about all three police oversight bodies. The Ombudsman's office has the mandate to independently and impartially investigate individual and systemic complaints. It does so about the administrative conduct of more than a thousand public sector bodies, including administrative tribunals... Such a change would enable the Ombudsman to promote consistency in the oversight bodies' practices and enhance public confidence in police oversight.
>
> *Hon. Michael Tulloch, Report of the Independent Police Oversight Review, released April 6, 2017*

The province committed to introducing standalone legislation in the fall of 2017 – separate from the *Police Services Act* – to enhance the independence of these bodies, as our Office also recommended. It is not yet clear whether this will also expand our oversight. (For an update on reforms specific to the SIU, see **Investigations** below.)

Investigations – policing

Police de-escalation training

Report: *A Matter of Life and Death*, released June 2016



Investigation update: This report made **22** recommendations to improve how police across Ontario are trained to de-escalate potential conflict situations, particularly involving people who may be in crisis due to mental illness or drugs. The day before the report's release, the then-Minister of Community Safety and Correctional Services agreed to all of the recommendations. Key among these were that the Ministry introduce – within one year – a new regulation setting out guidelines on de-escalation for all police services, as well as a new use-of-force model that would emphasize that de-escalation techniques should be used before force whenever feasible.

The Ministry has since provided our Office with detailed updates on its efforts to implement the recommendations. These include creating an advisory committee and commissioning academic research to review de-escalation practices. The Ombudsman also visited the Ontario Police College in December 2016 for a demonstration of its improved de-escalation training.

The implementation of the remaining recommendations is underway, and we will continue to monitor and report on the Ministry's progress.

Special Investigations Unit (SIU)

Reports: *Oversight Unseen* and *Oversight Undermined*, released 2008 and 2011

Investigation update: Our Office has twice investigated systemic issues related to the effectiveness of the Special Investigations Unit, the civilian body that handles police actions that result in death or serious injury. Our two reports made a total of **49** recommendations to address the SIU's perceived pro-police bias, delays and lack of transparency.

> "We need the province to standardize the training on de-escalation so no matter where the police officers serve, they can have the same training."
>
> *Ottawa Police Services Board chair Eli El-Chantiry, quoted in Ottawa Community News, December 13, 2016*

Although several recommendations were implemented by the SIU, the most important were not addressed: That the government enact legislation separate from the *Police Services Act* to clarify the SIU's mandate and independence and make it an offence for police not to co-operate with it. Other recommendations called for SIU director's reports to be made public in cases where no charges are laid.

The Ombudsman reiterated these recommendations in his October 2016 submission to the province's independent review of police oversight, headed by Justice Michael Tulloch, who echoed several of them in his final report in April 2017. The Attorney General immediately announced that SIU director's reports, including past cases involving deaths where no charges were laid, would be made public, and that new standalone legislation will be introduced in the fall of 2017 to enhance police oversight. We will monitor these changes and their impact.

Operational stress injury and suicide affecting Ontario Provincial Police and police across the province

Report: *In the Line of Duty*, released October 2012

Investigation update: This report made **28** recommendations to the Ontario Provincial Police (OPP) and **6** to the Ministry of Community Safety and Correctional Services to develop provincial standards and to improve support and resources for officers dealing with operational stress injury. At the time of the investigation, neither the Ministry nor the OPP kept any statistics on operational stress injury or officer suicide, while those who struggled with post-traumatic stress disorder were often stigmatized, and little support was offered through individual services or provincial bodies.

However, all of our recommendations were accepted and implemented, and significant improvements have continued, beyond the scope of our investigation. For example, the OPP has shared its mental health strategies and other approaches with many other police services and first responders. As well, the new *Supporting Ontario's First Responders Act, 2016* passed in April 2016, requiring all police services – as well as employers of such other first responders as firefighters, paramedics, correctional officers, etc. – to have a post-traumatic stress disorder plan in place by April 2017.

Trends in cases – correctional services

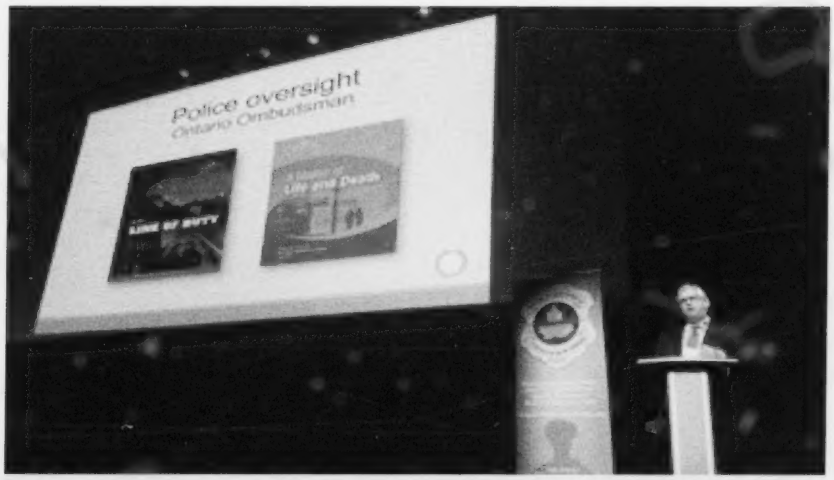
We received **3,998** complaints about Ontario's adult correctional facilities this past fiscal year, compared to **4,051** in 2015-2016. We also received **20** complaints about youth custody facilities. Our practice in dealing with such a high volume of complaints is to prioritize those involving urgent matters related to health and safety.

To flag complaint trends and potential systemic issues, Ombudsman staff meet on a regular basis with senior officials in the Correctional Services section of the Ministry. In recent years, these meetings have discussed serious concerns about medical treatment of inmates, inmate-on-inmate assaults, prolonged segregation of inmates, and excessive use of force by correctional officers. The two latter issues both resulted in systemic investigations and reports, after numerous efforts to prompt the Ministry to address them – and in both cases, the Ministry agreed to address all of our recommendations.

Medical issues

More than half of the complaints we receive from those in custody involve significant concerns about health care. The most frequent complaint topics are access to doctors or specialists, delays in receiving certain types of treatment, or problems in receiving medication. We refer many complaints back to the correctional facilities' internal complaint mechanisms, but our intervention has helped many inmates in medical distress.

For example, one man complained to us after he had cancer surgery and was placed in a dirty segregation cell – he could not feed himself and was given an inadequate wheelchair. He said he had considered ripping out his stitches so staff would pay attention to him.



February 7, 2017: Ombudsman Paul Dubé speaks at a Badge of Life Canada conference about our Office's work to improve de-escalation training and operational stress injury supports for police.

Our inquiries led to the inmate being moved to a better cell, where his dressings were regularly changed and he was given an appropriate wheelchair.

Inmate-on-inmate assaults

Our Office has repeatedly raised concerns with the Ministry about the lack of any requirement to document or investigate inmate-on-inmate assaults, no matter how serious. This past fiscal year, we received **63** complaints about such assaults, compared to **52** in 2015-2016.

In one recent case, a woman reported being sexually assaulted by four other inmates – after which she was placed in segregation, while her attackers were not. No investigation was done by the correctional facility.

In December 2016, after a lengthy review of its investigations policy, the Ministry directed facilities to complete a local investigation report whenever an inmate-on-inmate assault results in serious injury – including any allegations of sexual assault, and any cases involving broken bones or hospitalization. This is an encouraging change, and we will continue to monitor how such cases are handled.

Ottawa-Carleton Detention Centre task force

As noted in our last Annual Report, the then-Minister set up a task force in March 2016 to address concerns about overcrowding and capacity issues at the Ottawa-Carleton Detention Centre (OCDC). Our Office made a submission to this task force in May 2016, based on the high volume of complaints we receive about this facility, including **394** in 2015-2016. We received **319** complaints about OCDC in 2016-2017.

The Ministry reported in January 2017 that all of the task force's short-term recommendations had been implemented, including the creation of temporary "step-down" units to house vulnerable prisoners, and a review of the facility's health care department. On May 4, 2017, the Minister announced that OCDC will be replaced by a new facility.

Investigations – correctional services

Tracking of inmates in segregation

Report: *Out of Oversight, Out of Mind*, released April 2017

Investigation update: In December 2016, three factors prompted the Ombudsman to launch a systemic investigation into the tracking of segregation placements in the province's correctional facilities: A steady rise in complaints – repeatedly flagged to the Ministry – since 2013; a lack of response to the **28** recommendations he made in a submission to the Ministry as part of its consultations in spring 2016; and the shocking revelation that a 24-year-old man had been held in segregation in Thunder Bay Jail for more than four years.

The situation of Thunder Bay inmate Adam Capay was discovered by Ontario's Chief Human Rights Commissioner in October 2016. The Ombudsman immediately sent investigators to look into his situation and quickly determined that a systemic investigation was warranted. While our investigation was being planned, the Ministry appointed the former Correctional Investigator of Canada, Howard Sapers, to head an independent review of segregation and the broader correctional system. Our Office's investigation was announced shortly thereafter, and our findings were shared with Mr. Sapers as well as the Ministry.

April 20, 2017: Ombudsman Paul Dubé releases report on tracking of segregation placements of inmates, *Out of Oversight, Out of Mind*, at the Ontario Legislature.

Our investigation revealed that the Ministry's systems for tracking inmate segregation placements were error-ridden and inaccurate, and oversight at senior levels was severely lacking, meaning many vulnerable inmates were left in isolation for prolonged periods without the required reviews. The Ombudsman made **32** recommendations to limit segregation placements and strengthen oversight of them, all of which the Ministry agreed to address.

The recommendations include the creation of a clear definition of segregation, and a standard method to track placements and ensure they are reviewed every five days to make sure they are justified, as well as an independent panel to review all placements. The Ministry committed to report back to the Ombudsman on its progress within six months.

In addition to the systemic investigation, Ombudsman staff assisted many individual inmates who complained about segregation. We received **275** complaints about segregation in 2016-2017, compared to **186** the previous year.

In one case, a woman was held in segregation for more than a year, but her placement was not accurately recorded by the facility, contrary to Ministry policy. After our intervention, she was transferred to another facility where she could interact with other inmates. We also helped an inmate with mental health issues return from segregation to a general unit, by working with facility staff to ensure he had a care plan in place that noted his regular appointments with mental healt!. professionals. Staff also placed him with a cellmate to help him with reintegration.

On May 4, 2017, Mr. Sapers released his

> "The issues raised by the Ombudsman are deeply concerning and completely unacceptable. We must do better. I am committed to addressing each of the Ombudsman's recommendations, and reporting back on our progress at six-month intervals until his recommendations are fully implemented."
>
> *– Community Safety and Correctional Services Minister Marie-France Lalonde, statement in response to the Ombudsman's report, April 20, 2017*

> "The government ought not to wait yet again for more study before acting. It should move now to implement [Ombudsman] Dubé's crucial advice before anyone else gets lost in the system."
>
> — *Toronto Star* editorial, April 24, 2017

> "This makes Mr. Dubé's main recommendation so important: He wants the province to define segregation, once and for all. Everything else flows from that. Prison staff and ministry officials can't track time in segregation, and ensure no one spends more than a few consecutive days in it, until they have a clear definition of 'segregation.' Without this first step, all other reforms will fail."
>
> — *Globe and Mail* editorial, April 20, 2017

interim report, also calling for improved oversight of segregation, and proposing that it be capped at 15 days and banned for inmates who are pregnant, have medical conditions or mental illness. The Minister responded that the government would address Mr. Sapers' and the Ombudsman's recommendations with new legislation in the fall of 2017, and an "enhanced model of independent oversight and governance of the adult corrections system."

Excessive use of force by correctional officers

Report: *The Code*, released June 2013

Investigation update: The **45** recommendations in this report, all of which were accepted by the Ministry, were addressed at eradicating a "code of silence" that led to the coverup of some incidents of excessive force by officers against inmates. They also prompted improvements in training and transparency with regard to the use of force. As of the writing of this report, **6** recommendations remain partially incomplete, as they involve additional staff and expenditures. The Ministry is working to address these recommendations by installing closed-circuit video at all institutions, introducing policy and equipment to enable the use of hand-held video recording in situations where correctional officers are likely to use force, and updating training.

Complaints about correctional staff using excessive force have declined overall from the years prior to our report; however, they increased to **65** in 2016-2017 from **43** the previous year. We continue to monitor this issue closely.

Trends in cases – Legal Aid and tribunals

Legal Aid Ontario

We received **111** complaints about Legal Aid Ontario (LAO) in 2016-2017, compared to **118** last fiscal year. Common topics of complaint were eligibility requirements for legal aid funding and communications issues. For example, when a woman could not get a response from LAO's complaints department regarding her file, our staff discovered that its automated email response to web complaints had been inadvertently disabled. LAO apologized to the woman for the delay in responding to her.

Administrative tribunals

Our Office oversees the myriad administrative tribunals that adjudicate matters relating to social benefits, landlord and tenant disputes, licences and statutory warranties, municipal planning and labour relations, among others. The province has grouped many of these into three clusters: Social Justice Tribunals Ontario (SJTO), Safety, Licensing Appeals and Standards Tribunals Ontario (SLASTO), and Environment and Lands Tribunals Ontario (ELTO).

In 2016-2017, we received **238** complaints about SJTO, **21** about SLASTO and **19** about ELTO. Although we are not an appeal body and cannot overturn tribunal decisions, we can review the fairness of a tribunal's processes. The tribunal clusters are required by law to have a code of conduct and a public complaints process. We refer most complaints accordingly, but can review the tribunal's response if the person is not satisfied with it.

For example, we recently reviewed a man's complaint about the conduct of an adjudicator in lengthy and acrimonious proceedings at the Licence Appeal Tribunal. An independent investigation initiated by SLASTO found the adjudicator did not breach the code of conduct, but recommended several improvements to the tribunal's practices, including providing clearer explanations to the public, and training adjudicators to interact with people who represent themselves (without lawyers) in tribunal proceedings.

We reviewed the investigators' report as well as the general concern that the proceedings were unfair. We determined that the tribunal had acted within its mandate, and that its decision was evidence-based. However, we suggested several improvements, including that SLASTO clarify some procedures and make resources available on its website for people who are not represented by lawyers. These suggestions were well received by SLASTO, and we will continue to monitor its efforts to improve its services.

Case summaries

Motherhood issue

An inmate who was 29 weeks into a high-risk pregnancy contacted us in fear that she would lose her baby due to lack of care. She complained of delays in being referred to prenatal appointments, in being taken to hospital, and in accessing her health record. Our Office contacted the facility's health care staff, and as a result of our inquiries, the superintendent arranged immediate medical attention for her. She was taken to hospital and transferred to a specialized high-risk clinic. The Ministry also reviewed the health care she received, and helped her access her health records.

Good timing

An inmate with diabetes who needed to take insulin before his meals complained to our office that correctional staff could only give it to him after meals. The health care manager initially told us the facility was too large for its staff to co-ordinate the man's insulin with his mealtimes, but still agreed to review the man's circumstances. The inmate later informed us that staff had arranged to get his insulin to him before meals.

Security risk

An inmate who had been in segregation for nine months – because the facility had concerns about his and others' safety and security – complained to our office that it was harming his mental health and he needed to see a psychiatrist. After Ombudsman staff made inquiries, the facility took a closer look at its safety and security concerns and decided the man could be moved into a general population unit.

SOCIAL SERVICES

Overview and trends in cases

Millions of Ontarians rely on social services provided by the province, mostly through the Ministry of Community and Social Services, about which we received **2,196** complaints this fiscal year. The top two sources of complaints to our Office are run by this Ministry – the Family Responsibility Office (FRO) and the Ontario Disability Support Program (ODSP).

Another significant complaint area is the province's services for adults and children with developmental disabilities. We received **216** complaints related to developmental services programs, and also followed up on the government's progress in response to our two systemic investigations in this area.

Some **61** of the complaints we received regarding the Ministry of Children and Youth Services related to developmental or related services for children.

Another common topic of complaints to our Office is children's aid societies – even though they have never been within our jurisdiction. We received **471** this year, many of which we referred to our fellow Officer of the Legislature, the Provincial Advocate for Children and Youth, who gained the power to conduct investigations related to children's aid societies as of March 1, 2016.

New to this chapter, as of this year, are complaints about Ontario Works, the social assistance program administered by municipalities on behalf of the province – about which we received **248** complaints.

Family Responsibility Office

The Family Responsibility Office (FRO) is responsible for enforcing court-ordered child and spousal support payments and is consistently a top source of complaints to the Ombudsman. It was the most complained-about Ontario government organization again in 2016-2017, with **1,036** complaints, up slightly from **1,025** last year.

Complaints about FRO tend to involve errors in child and spousal support payment transactions or in interpreting court orders, failure to enforce payment of arrears, or enforcing payment where none was owed.

Among the most egregious cases we dealt with was one in which FRO garnished a man's pension for support payments to his ex-wife, even though she had been dead for **13** years. In total, FRO had forwarded almost **$143,000** to the dead woman's inactive bank account. Although it was not aware of her death for some years after it occurred, even after it was notified, it took more than **$50,000** from the man's pension. FRO had refunded the man **$50,000**, but as a result of our inquiries, it provided him with an additional **$40,000**.

In another case, FRO tried to take enforcement action against a man for support, even though he had custody of his children and their mother had abandoned them. After Ombudsman staff made inquiries and documentation was provided to confirm the children had been in the man's care for several years, FRO agreed to terminate his support obligation.

> "I can't thank you enough. I'm glad I followed through with this. I Googled it and saw [the Ombudsman's annual] reports. I thought it's worth a shot. I'm so glad I made that call."
>
> *– email from complainant*

Misinterpretation of a court order in one case cost a woman more than **$4,600** in arrears owing to her, until our Office raised the case with FRO, and it reimbursed her.

In another case, FRO garnished **$3,500** from a woman's income tax refund and paid it to her ex-husband, even though she did not owe any arrears. She complained to us after FRO refunded her only **$2,000** despite her repeated requests for the full amount. After our intervention, FRO confirmed its error and repaid her the remaining **$1,500**.

By the same token, we often hear from complainants that FRO is not doing enough to go after unpaid support – for example, a woman who was owed more than **$67,000** in arrears sought our help when FRO told her the payor's whereabouts were unknown; after we made inquiries, FRO completed a search that revealed employment information about the payor, allowing it to begin garnishing his wages.

Interjurisdictional Support Orders

Some **76** of the complaints we received about FRO related to its Interjurisdictional Support Orders unit (ISO), which works with agencies in other provinces or countries to enforce support where one of the parties lives outside of Ontario. This was an increase over the **58** ISO complaints we received last year. Common complaint topics included delays in processing information and issues with different procedures between jurisdictions.

For example, a woman who had not received payments from her ex-husband in the United Kingdom for several years complained to us that FRO had failed to provide officials there with information they required to register her order. As a result of our inquiries in this case, FRO agreed to review any other United Kingdom cases that might have similar issues. We are monitoring the results of this review, and FRO's recent improvements to management and processes in the unit.

Change in leadership

Despite the high volume of complaints we continue to receive about FRO, our Office has observed some clear improvements through our case reviews, thanks to FRO's new leadership and its focus on customer service. Concrete changes include the implementation of an internal complaint process in the Assistant Deputy Minister's office, called the Resolution Unit. The unit's role is twofold: First, to review and respond to public complaints that have not been resolved at lower levels; and second, to identify opportunities to improve FRO's processes, policies and customer service strategies.

FRO staff have been responsive and proactive when we have identified issues in individual cases that that might affect many others. They have also demonstrated greater co-operation, transparency and responsiveness in dealing with clients and Ombudsman staff. Case resolutions often include corrective measures, and letters of apology are issued to acknowledge mistakes, errors and missed opportunities. Senior FRO staff regularly reach out to our Office to proactively flag cases, provide case updates, inform us of changes in administrative processes and procedures, and any potential systemic issues they are reviewing.

Ontario Disability Support Program (ODSP)

The ODSP is a social assistance program that provides income and employment supports to financially eligible Ontario residents who meet the legislated definition of disability. It also provides coverage for drug and dental needs and disability-related items. We received **862** complaints about ODSP in 2016-2017, a slight increase from last year's **843**, most of which related to customer service or decisions made by ODSP staff regarding eligibility for benefits.

Our approach to complaints from ODSP clients is to ensure they are aware of the appropriate appeal mechanisms and, if necessary, to facilitate resolution through contact with Ministry staff. We have received good co-operation from the Assistant Deputy Minister and other senior staff of the Social Assistance Operations Division of the Ministry.

For example, we contacted senior officials at ODSP after a man complained to us that he was unable to reach his case worker by phone, after waiting more than six months for the ODSP to authorize payment for a required medical device, and more than nine months for his special diet allowance request to be processed. An ODSP manager acknowledged the significant delays and arranged for the man's requests to be processed, as well as for the case worker to be spoken to about ODSP service standards.

We also alerted the Ministry about **27** complaints we received after ODSP informed clients who receive $100 per month or more to purchase incontinence supplies that, as of June 2016, they would no longer receive the money directly, but would have to obtain supplies from an approved vendor, who is then reimbursed by ODSP. Clients complained to us that having to disclose their incontinence needs and ODSP recipient status to a vendor was embarrassing and potentially a breach of privacy.

Another concern we raised with the Ministry stemmed from a complaint we received from a woman who was in a long-term care home. She was worried that ODSP would deny her benefits after taking her husband's income into account, even though her situation meant they had two sets of living expenses. Although ODSP approved her benefits, our inquiries revealed ODSP had no policy in place to deal with situations of involuntary separation of couples; its staff assessed on a case-by-case basis whether married applicants should simply apply for ODSP as individuals. The Ministry advised us that it plans to address this issue as part of its ongoing reform of social assistance.

It also agreed to amend legislation to allow women who are on parole, probation or serving conditional sentences to be eligible for ODSP benefits while they are living in halfway houses funded by the Ministry of Community Safety and Correctional Services. This was as result of a case we received in 2015 that revealed a systemic loophole affecting these individuals.

Developmental services

Services for Ontarians with developmental disabilities continue to be a major source of complaints to our Office – particularly in light of issues raised in the Ombudsman's August 2016 report, *Nowhere to Turn* (discussed under **Investigations**). Complaints increased significantly in this area in 2016-2017, to **216**, compared to **156** last year.

Common complaint topics included a lack of available residential placements and long waiting lists for adults with developmental disabilities, and scarce resources for family respite, behaviour supports and programming. We also heard many complaints about a lack of communication and planning for youths with developmental disabilities who will soon have to transition to adult services.

A dedicated team of Ombudsman staff is assigned to review these complaints and facilitate resolution where possible. Our focus is on whether Ministry staff are taking steps to ensure appropriate, timely and effective responses from community service agencies.

In one case, a single mother of a 26-year-old man with a developmental delay, aggressive behaviours and various medical issues sought our help after her son was hospitalized for aggressive behaviour. The hospital social worker advised both the local service agency and Developmental Services Ontario (DSO) that the man needed behaviour therapy and other supports, but the agency failed to respond to the worker or to calls from the DSO. Ombudsman staff raised the agency's poor customer service with Ministry officials, who brought it to the agency's attention, and the man was ultimately placed in a permanent group home.

Services for children with special needs

We received **34** complaints about services and treatment for children with special needs in 2016-2017, down from **46** the previous year. Common complaint topics include a lack of services and funding assistance, lengthy waiting lists for residential placements, and delays in receiving supports. Ombudsman staff liaise with the various community agencies and relevant Ministry officials to help families connect with appropriate service providers wherever possible.

In one case, the mother of a 17-year-old with a developmental disability, autism, and depression, who had twice had violent altercations with family members and whose behaviours were escalating, was told by her local service agency that it could not provide service to 16- and 17-year-olds. When Ombudsman staff made inquiries with a program supervisor at the Ministry of Community and Social Services, the Ministry acknowledged the gap in service, and worked with local agencies to obtain temporary funding and suitable supports for the family on an urgent basis.

Ontario Works

This is the first full fiscal year that our oversight has included Ontario Works, thanks to our new jurisdiction over municipalities. In many of the **248** cases we received, we heard from vulnerable people who lacked resources to navigate their local social assistance bureaucracy.

We sometimes encountered problems with frontline workers who were not familiar with our Office's oversight role and procedures with regard to confidential information. We asked that all municipalities provide information about the Ombudsman's authority to their staff, so they understand that they are allowed to answer our inquiries without delay.

In one case, we helped a northern Ontario man who lived more than four hours away from the city from which he had tried to obtain Ontario Works benefits. He had trouble understanding the application process because of a language barrier, and he had missed an appointment to do a telephone interview with an interpreter. We were able to communicate that a new appointment had been arranged for him. We also referred him to help through the local Legal Aid Ontario clinic.

In another case, a local Ontario Works office had approved the cost of a taxi to bring a man to his weekly counselling appointments, but gave the taxi company the incorrect address. When the man tried to correct the address, the taxi driver refused to go anywhere other than the address provided by Ontario Works. The man sought our help after he was unable to reach anyone to correct the mistake for more than four weeks; after we contacted Ontario Works, it rectified the error with the taxi company so he could resume his appointments.

We also clarified Ontario Works' authority after it suspended a woman's shelter benefits out of concern that the rent on her new apartment was too high, and it would not be a sustainable living situation. Although Ontario Works can withhold discretionary benefits, when we inquired about its ability to withhold a client's shelter allowance on that basis, staff agreed to release her allowance so she could move into the new apartment.

Investigations

Services for adults with developmental disabilities in crisis

Report: *Nowhere to Turn*, released August 2016

Investigation update: Since the release of the Ombudsman's report and **60** recommendations, all of which were accepted by the Ministry, it has made progress on several fronts. However, we also continue to receive complaints from families of adults with developmental disabilities who feel they still have nowhere to turn in their search for services, supports and appropriate housing. The investigation reviewed more than **1,400** complaints between November 2012 and the release of the report; between August 2016

> "While we have made progress in addressing the Ombudsman's recommendations, much work is still required to drive change in the developmental services sector. We've made progress in finding housing solutions, but there are still a number of individuals in Ontario with developmental disabilities living in inappropriate settings. We need to work more efficiently and in closer collaboration with our partners to deliver on our promise of real change because there are still too many people with developmental disabilities who are not receiving the services and supports they need. This is unacceptable."
>
> *Community and Social Services Minister Helena Jaczek, statement in response to report, Legislature, February 24, 2017*

> "We thank you for the comprehensive report and excellent recommendations that you have published. You have covered many of the difficulties faced by those with a dual diagnosis and their families. We know from our experience that the services for these adults are few and far between... We urge you to continue the reviews with the Ministry until the system is working again for all those who have an intellectual disability."
>
> *Concerned Parents of Toronto, letter to the Ombudsman, October 2016*

and March 31, 2017, we received an additional **132** similar cases, many involving urgent, complex and disturbing situations.

The Ministry committed to providing the Ombudsman with reports on its progress every six months, and delivered the first in February 2017. The Ombudsman and senior staff have met with Ministry officials several times to discuss what concrete steps are being taken. We have also identified individual cases of adults with developmental disabilities who continue to be inappropriately housed in hospitals and long-term care homes – sometimes for years, and our senior staff meet with Ministry officials on a regular basis to find placement solutions.

Care and custody of children with severe special needs

Report: *Between a Rock and a Hard Place*, released May 2005

Investigation update: Even **12** years after the publication of this report, our Office continues to receive complaints from parents of children with severe special needs who are told that the only way they can obtain residential care for them is to surrender custody to children's aid societies. We received **2** such complaints in 2016-2017. One was resolved, and we continue to follow up on the second.

The first case involved an 11-year-old boy with complex special needs who was under a temporary care agreement with a children's aid society when his mother was told she would have to surrender custody permanently to continue to access special services for him. After our intervention, the Ministry confirmed that the proper procedure was not followed, and it initiated a review of all similar temporary care agreements in the region. It also expedited the mother's application for complex special needs funding for the boy.

In the second case, the family of a 16-year-old boy with an intellectual disability and bipolar disorder also had a temporary care agreement with a children's aid society. The agreement had ended in 2015, but the boy's family stated they were in crisis and were not receiving sufficient supports. Our office flagged the case to Ministry staff who confirmed children's aid society officials had investigated but identified no child protection issues. They have since been approved for Special Services at Home funding and for out-of-home supports. We continue to follow up with the Ministry on this case.

Case summaries

Found money

A woman who was owed more than **$100,000** in support payments complained to us about FRO's lack of enforcement action against her ex-husband, even though she had provided information about his assets, finance and employment situation. Our review of the case determined that FRO had failed to act, and as a result, it took several actions, including garnishing his wages and registering a lien against his property. The woman received almost $100,000 in less than a year.

No place like home

The parents of two adult sons with highly complex medical needs and developmental disabilities contacted our Office because they felt they were in crisis. They wanted to continue to care for their sons at home, but were experiencing their own health challenges. The sons needed round-the-clock care, the family's funding through the Ministry's Passport program was almost exhausted, and they had already received the maximum amount of personal support worker hours from the local Community Care Access Centre. After our Office made inquiries with a program supervisor, the Ministry of Community and Social Services collaborated with the Ministry of Health and Long-Term Care to review the family's case, and jointly provided funds for additional in-home supports.

Message mistake

After an ODSP recipient left her case worker a message asking about reporting employment income, she was surprised to discover her benefit entitlement was suspended. The worker had done this without even speaking to the woman – who was not actually employed, but only seeking information. She then could not reach the worker, and was worried she would not be able to pay her rent. Ombudsman staff contacted the ODSP manager, who ensured the suspension was lifted and the woman continued to receive her benefits.

Tale of two cities

A Toronto woman who was seeking rapid reinstatement of ODSP benefits was staying with a relative in Oshawa while undergoing medical treatment. The ODSP office in Oshawa told her she would have to apply through their Toronto office – but she was too ill to travel, and worried that she could not make ends meet without benefits. Our Office contacted the Oshawa office manager, who arranged to have a case worker visit her at her relative's home and courier the requisite documents to the Toronto office, where her application was approved.

MUNICIPALITIES – GENERAL

Overview and trends in cases

The Ombudsman's jurisdiction over municipalities – which came into effect in January 2016 – responded to a strong, longstanding public demand. It also coincided with review of the main legislation governing municipalities, which culminated in the passage of Bill 68: *Modernizing Ontario's Municipal Legislation Act, 2017*, in May 2017. The new law will bring significant changes to municipalities' own internal accountability mechanisms and complaint processes, which will in turn affect how our Office handles cases relating to general municipal issues and complaints about closed municipal meetings.

We received **2,667** general complaints about **328** of Ontario's 444 municipalities between April 1, 2016 and March 31, 2017. Most general complaints were resolved quickly, without need for a formal investigation – in fact, the Ombudsman has only launched **4** formal investigations into general complaints about municipalities since January 2016, including one systemic investigation into non-competitive procurements in Brampton.

New legislation – accountability officers and open meeting exceptions

Our Office was consulted by the Ministry of Municipal Affairs as Bill 68 was developed, and the Ombudsman made a submission to the legislative committee before it was passed, recommending amendments based on our experience in overseeing municipalities. Significantly, the new law will require every municipality to have a code of conduct and to provide access to an integrity commissioner. The Ombudsman strongly supported these changes.

Municipalities will continue to have the option to appoint other accountability officers as well, such as a local ombudsman, lobbyist registrar and an auditor general. As of March 31, 2017, there was no official list, but to our Office's knowledge, **84** municipalities had already appointed an integrity commissioner and **209** had a council code of conduct. We also know of **24** municipalities that had appointed a local ombudsman, **5** that had a lobbyist registrar and **3** an auditor general.

The legislation also makes a major change to the open meeting rules, permitting more exceptions to the requirement that all meetings of councils, committees and local boards must be open to the public. More information can be found in the next chapter of this report.

Councils and committees

By far, the most common topic of complaints about municipalities is local councils themselves. We received **509** such complaints in 2016-2017, comprising more than **19%** of all municipal complaints – not including complaints about closed meetings.

TOP 5 MUNICIPALITIES BY CASE VOLUME

These came not just from members of the public, but also from municipal staff and members of council.

Of course, some people complain because they disagree with decisions of council. Our Office cannot overturn decisions and generally focuses on administrative issues, but we have often suggested ways that councils and committees can improve their practices and procedures. For example, when two councillors from a small municipality complained about the way their council added items to agendas and kept minutes, we provided them with some information on best practices for recording meetings, which they raised with their council colleagues. As a result, the municipality revised its procedure by-law to specify what information should be included in meeting minutes.

Cases related to **Ontario Works** are summarized in the Social Services chapter of this report, and cases related to municipal hydro corporations appear in the **Energy & Environment** chapter.

A breakdown of cases by municipality can be found in the Appendix.

For information about our investigations of closed municipal meetings, see the next chapter.

Codes of conduct and accountability officers

Many complaints relate to the conduct of members of council, which is why the Ombudsman has routinely suggested that all municipalities have codes of conduct, and supported this change in the new legislation. Our Office's role is not to replace local accountability officers, but rather to ensure they function as they should. Over the past year, prior to the passage of Bill 68, Ombudsman staff frequently reached out to municipalities to explain the intended role of integrity commissioners.

Similarly, we advised several municipalities to address conflict of interest in their codes of conduct. One municipality had told a resident that municipalities were not allowed to do so, and she would have to pursue her complaint in court. We explained to the municipality that this was not the case, and in fact, it is a best practice, to catch concerns that fall outside the scope of *Municipal Conflict of Interest Act*.

In a few cases, we reviewed complaints about the decisions of integrity commissioners, to determine whether they followed a fair practice and provided sufficient, evidence-based reasons. In one such review, we advised an integrity commissioner that he should link his findings to the applicable authority granted in the municipality's terms of reference. We also reviewed a complaint that a local ombudsman's report was tainted by an inherent conflict of interest, because the ombudsman was hired by the city. We found there was no issue with the relationship between the council and the local ombudsman.

Public conduct

We also advised several municipalities to establish policies for dealing with difficult behaviour, in light of complaints from residents who were banned from contacting municipal staff or accessing services – sometimes without explanation. When we receive a complaint from someone whose access to their municipality has been limited, such as through the imposition of a service restriction or trespass notice, we look at the process followed by the municipality to determine if it was fair, transparent, and based in a policy or by-law.

By-law enforcement

The **251** complaints we received in this area were divided amongst those who felt municipal bylaws were too heavy-handed, and those who felt they weren't enforced enough. The enforcement of by-laws is discretionary, but our Office looks at administrative fairness; for example, whether or not a municipality enforces a bylaw in a fair and transparent manner.

We reviewed complaints from residents in one municipality who were confused by the fact that its by-law limited backyard fires, but its enforcement policy online was more lenient. When we raised this with municipal staff, they confirmed that they planned to bring the by-law to council to suggest that it be made consistent with the more lenient enforcement policy.

Housing

Many municipalities and social services administration boards provide or fund community housing services. We received **220** complaints about municipal housing in 2016-2017, several of which involved vulnerable people facing unsafe living conditions or eviction.

In one case, a tenant with a disability applied to her municipal housing authority for an additional bedroom to accommodate exercise and therapeutic equipment to help her manage pain. A local housing review panel denied her request, without explaining it clearly. When we contacted the panel, we were told the medical evidence the woman provided did not support her request, and they agreed to send her a letter explaining the reasons and how she could reapply if she obtained more medical evidence.

A woman who was living in a shelter contacted us after she was told her application to be added to a local housing registry was denied because she owed thousands of dollars in arrears to a former social housing provider. She was not aware that she owed any money, and our inquiries revealed that neither the local district social services administration board, nor the housing provider, had any record showing that she did. As a result, the board agreed not to enforce collection of the unverified arrears, and allowed her application to proceed.

Infrastructure, water and roads

We received **115** complaints about municipal water or sewer services in 2016-2017, relating to billing issues, water pipes, or customer service. We also received **101** complaints related to municipal infrastructure, chiefly roads.

January 29, 2017: Ombudsman staff speak with municipal stakeholders at the Rural Ontario Municipal Association conference in Toronto – one of many municipal events we attended to engage with municipal officials and share information about how we work.

In one case, a tenant who had been making automatic payments on his water bill built up a $600 credit. The municipality agreed to refund this money to him, but when he still hadn't received it months later, he stopped paying. The municipality then sent him a bill for almost **$400**, including a late payment fee. We contacted the municipality, which told us the man's landlord had sold the house and the credit owing was not transferred to the new account the municipality had created. It agreed to waive the late payment and to transfer the credit to the tenant's new account.

In another case, a man complained that water flowed from the road in front of his home onto his property, causing flooding, and the municipality would not explain why it refused to install a curb to block the water. We spoke to municipal staff, who said they had explored several options and offered to install an asphalt gutter, but the man had refused. The municipality agreed to send him a detailed letter setting out the various options it had considered and the reasons for its decision to propose a gutter instead of a curb. It was the first written communication the man had received in more than three years of dealing with the municipality on this issue, and he appreciated being provided with its reasons, even though it wasn't the outcome he sought.

Investigations

Trespass notice against councillor in Red Rock

Report: *Counter Encounter*, released May 2017

Red Rock is a township on the north shore of Lake Superior, with fewer than 900 residents. This investigation involved the unusual situation of an elected member of council who was banned from municipal property during business hours. The trespass notice had been in effect since before the councillor was elected, after a municipal employee complained that an interaction with him when he went to file his nomination papers for the 2014 election left her feeling uncomfortable. The councillor complained to our Office that the municipality's process for issuing the ban against him was unfair.

As we do with all complaints we receive, Ombudsman staff worked to resolve the matter without a formal investigation. However, after repeated attempts to do so were unsuccessful, the Ombudsman opted to launch an investigation, and investigators went to Red Rock to conduct in-person interviews and gather information.

We discovered that the township's Clerk/Chief Administrative Officer, who witnessed the events leading up to the complaint and also investigated them, issued the trespass notice without reporting to council, contrary to township policy. The ban remained in force since 2014, even though there were no further incidents.

The Ombudsman made 11 recommendations to the township to improve its practices and policies, including that it immediately withdraw the trespass order. Not only did the township not accept this recommendation, it had police remove the councillor from the meeting at which our preliminary report was discussed. The Ombudsman found the township's actions to be unreasonable, unjust and contrary to law – and urged Red Rock council to reconsider its position with the public interest in mind.

Non-competitive procurements in Brampton

Report: *Procuring Progress*, released March 2017

In May 2016, at the request of the city of Brampton, the Ombudsman launched an investigation into the city's policies, by-laws and procedures regarding non-competitive procurements, and ultimately found no evidence of maladministration. However, in the interest of improving transparency and accountability in Brampton as well as other municipalities, the Ombudsman's report on the investigation identified several ways the city could improve its practices and oversight of purchasing. These included appointing an auditor general, increasing training for staff and council members, and adding qualified members of the public to the city's audit committee.

City officials noted that many of the suggested improvements were in line with changes already underway, and Mayor Linda Jeffrey issued a statement in support of establishing an independent auditor general.

> "I thank the Ombudsman for his report. His findings reinforce [our] commitments and provide clear recommendations on furthering transparency and accountability... I am therefore supportive of the Ombudsman's recommendation in establishing a permanent, independent Auditor General to provide external oversight of the City."
>
> *—Brampton Mayor Linda Jeffrey, press release, March 6, 2017*

Case summaries

Rude awakening

A man complained to his municipality after a member of council called him names in an email. He was not satisfied when the mayor offered to bring him and the councillor together for a private meeting. Ombudsman staff suggested he raise his concerns with the municipal clerk, but this prompted another disparaging email from the councillor. Our Office suggested that the municipality seek the assistance of its newly appointed integrity commissioner for training on dealing with difficult complainants. The municipality accepted this feedback.

Building good policies

A man who had a complaint about his municipality's chief building official contacted our Office because his municipality did not have a code of conduct in place, even though this is required by the *Building Code Act*. We spoke to the municipality and confirmed that it had taken steps to respond to the man's concerns. Still, we pointed out that it should have a publicly available complaints procedure and code of conduct for its chief building official. It has since established a code of conduct and posted it on its website.

All wet

After a man complained to us that his municipality had not responded to his letter about flood damage to his basement, municipal staff initially told us they didn't answer because they deemed the complaint to be without merit. They then sent the man a letter in which they made findings about water and drainage on his property. However, when we asked about this, staff conceded they were not actually qualified to make these findings and committed to send qualified inspectors to his property.

Sold out

A man contacted our Office after his municipality closed and sold a road allowance adjacent to his property. His family had used the land to access the river, but they were not notified by the municipality or given the chance to purchase a portion of the land, contrary to municipal policy. The municipality initially told him it had correctly followed procedure, but when our Office intervened, staff and the mayor conceded that the policy, which had been affected by a change to provincial legislation, was not followed. Given that the land no longer belonged to the municipality, we suggested it make a sincere apology to the man. The municipality acknowledged its mistake and issued a written apology to the resident.

Looking for more information on how we handle cases related to municipalities? Watch our webinar on our website – available in English and French under "video resources."

MUNICIPALITIES – CLOSED MEETINGS

> "The Ombudsman is not an enemy to us. The Ombudsman is there to ensure we're following the format that is recommended in the Municipal Act."
>
> *Timmins Mayor Steve Black, quoted by The Timmins Daily Press, November 9, 2016*

Overview and trends in cases

Our Office has investigated complaints about closed municipal meetings since 2008. However, with our mandate expanded to all aspects of municipal government as of 2016, complaints about closed meetings have declined – to **109** in 2016-2017, from **195** the previous fiscal year. As of March 31, 2017, our Office was the closed meeting investigator for **218** of the province's 444 municipalities.

The decline in complaints is most likely because prior to 2016, the only way Ontarians could bring concerns about municipalities to us was to do so via a closed meeting complaint. Now, closed meeting complaints tend to be directly related to transparency in municipal governance, not other issues – and a higher proportion result in findings that the municipal body violated the open meeting rules.

We looked into **76** complaints about municipalities where our office was the investigator (the rest were referred accordingly). We reviewed **42** meetings of **41** different councils, committees or local boards. The Ombudsman found **43%** of the meetings reviewed (**18**) were illegal under s. 239 of the *Municipal Act, 2001* – an increase of about **13%** over the period covered in our last Annual Report. The Ombudsman also found **22** violations of the procedural requirements of the Act, and made **33** "best practice" recommendations. In most cases, we received excellent co-operation from municipal officials, and our recommendations were implemented.

Education, outreach and report database

With the recent changes to our mandate and to municipal legislation, we have worked to educate the public and municipal stakeholders about our role and the difference between a closed

CLOSED MEETING CASES

We reviewed **76** complaints

42 meetings in **41** municipalities

30 reports and minutes reviewed

18 meetings found illegal

22 procedural violations found

33 best practice recommended

43% of meetings reviewed were illegal

meeting investigator and an integrity commissioner. We also encountered several local boards that were not aware that they were subject to the open meeting rules - and were holding illegal meetings, until our Office investigated and recommended that their municipalities train all board members on the rules.

Closed meeting cases tend to be quite different from our work with more general complaints, which rarely result in formal investigations. Whether they are conducted by our Office or another investigator appointed by the municipality, closed meeting investigations must focus strictly on the open meeting requirements in the *Municipal Act, 2001*. They involve considerable legal analysis, which is set out in reports and recommendations aimed at improving the transparency of municipal practices and procedures.

There is no central library where closed meeting investigator reports can be searched, although all of our Office's reports are on our website and on the Canadian online legal decision portal, CanLii. However, later in fiscal 2017-2018, we plan to publish a searchable digital digest of closed meeting cases through our website, for the benefit of municipal officials and anyone interested in municipal law and governance.

Exceptions to the rule

Closed meeting investigations centre on requirements in the *Municipal Act, 2001* that say all meetings of municipal councils, local boards or committees must be open to the public, unless they meet certain narrow criteria. The exceptions to the open meeting requirements are set out in s. 239 of the Act, but most are discretionary; they involve such topics as personal matters about an identifiable individual, acquisition or disposition of land, labour relations or litigation. The Ombudsman recommends that municipalities keep meetings open to the public wherever possible.

New law, new exceptions

With the passage of Bill 68, the *Modernizing Ontario's Municipal Legislation Act, 2017*, four new exceptions have been added, which will allow municipalities to close meetings in more circumstances: For example, when discussing confidential information supplied by another government body, a "trade secret," certain types of financial information, or a plan for negotiations. We investigated several cases in 2016-2017 where councils and local boards – including the **Town of Grimsby**, **City of Niagara Falls**, and the **Niagara District Airport Commission** – illegally closed meetings to protect allegedly sensitive business information, prior to the new law being passed.

When the bill was considered by the Standing Committee on Social Policy on April 11, 2017, both the Ombudsman and the Information and Privacy Commissioner, among others, argued against these new exceptions, on the grounds that they were too broad and could potentially reduce municipal transparency. However, both supported the law's new, clearer definition of a "meeting" as "**any regular, special or other meeting of a council, or a local board or of a committee of either of them, where, (a) a quorum of members is present, and (b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.**"

The new law will also require municipalities to respond to closed meeting reports. They will have to pass a resolution stating how they intend to address each report.

Most commonly used – and misused – exceptions

The exception most often cited for closing meetings is s. 239(2)(b), for discussions about "**personal matters about an identifiable individual.**" This is also the most incorrectly cited exception, as municipalities grapple with what counts as "personal."

Among the cases we looked at in 2016-2017, the **Laird Fairgrounds Management Board** held a discussion that fit the exception when it talked about individuals in a way that went beyond their professional capacity. So did the **Municipality of Temagami** council when it went in camera to talk about unproven allegations about the mayor.

A breakdown of cases by municipality can be found in the Appendix.

Reports on the cases cited in this chapter can be found on our website.

Similarly, when the **Township of Leeds and the Thousand Islands**, the **City of Greater Sudbury**, and the **City of London** talked about the skills, work experience, performance or conduct of specific individuals, their discussions fit within the exception. When council for the **Township of Russell** discussed the salaries of specific employees, it constituted personal matters – but their discussion of councillor remuneration did not.

Nor did the **Town of Amherstburg**'s discussion about reimbursing a councillor for expenses incurred in an official capacity.

Discussions that touch on legal matters can also result in confusion and potential complaints, if the exceptions for "solicitor-client privilege" or "litigation or potential litigation" are incorrectly cited.

For example, when the **City of Niagara Falls** closed a meeting at which the city's lawyer was present, but did not provide any advice or even participate in the discussion, it did not fit within the "solicitor-client privilege" exception. Nor did the **Niagara District Airport Commission**'s meeting to discuss a topic that it intended to seek legal advice about in the future. However, in meetings held by the **Municipality of Temagami**, the **Town of Amherstburg**, the **City of Timmins** and the **City of Greater Sudbury**, lawyers were not present but legal advice was provided in writing or conveyed by staff; these meetings were within the exception.

The "litigation or potential litigation" exception can be used when there is a reasonable prospect of litigation – as council for the **Township of Georgian Bay** did after receiving verbal threats of litigation from community members over the zoning relating to a dock. Similarly, the **Municipality of Brockton** and the **Walkerton Business Improvement Area** closed meetings that fit within this exception after receiving a lawyer's letter requesting specific action. However, the **Town of Grimsby** was not entitled to rely on the exception when it discussed a contentious topic in camera out of concern that it might attract litigation in the future.

According to procedure

The *Municipal Act* sets out requirements for procedures that must be followed to ensure the public can observe local government in process. These include giving public notice of meetings and passing a resolution in open session before closing a meeting. We investigated several cases this fiscal year in which municipalities failed to follow procedure. For instance, a committee meeting in the **Township of Hornepayne** was illegal because it was held without any notice to the public.

Every municipality and local board must pass a procedure by-law that provides for public notice of meetings. We recommended improvements to several municipal procedure by-laws to specify how and when public notice of meetings is given.

We also found several procedural violations where councils closed meetings without giving information about the matters to be discussed before doing so – including **Norfolk County** and the cities of **Timmins**, **Brockville** and **Greater Sudbury**. In other cases, we cautioned councils like that of the **Town of Amhertsburg** not to stray from the topics cited in the resolution once they were in closed session.

This is a recording

The Act requires that minutes be taken of all meetings, whether or not they are open to the public – and they should include substantive details of the matters discussed. The cities of **Timmins** and **Greater Sudbury** both failed to include enough detail in their minutes of closed meetings in recent cases we investigated.

Our Office routinely recommends that councils make audio or video recordings of all meetings, including closed ones, to ensure the most reliable records. We are aware of at least **19** municipalities that have approved this practice, with the **City of London** voting in March 2017 to do so, joining the cities of **Oshawa**, **Brampton**, **Niagara Falls** and **Welland**, among others.

Case summaries

Learning opportunity

Council for the **City of Oshawa** held a closed meeting on December 17, 2015, to hear from the city-owned Oshawa Power and Utilities Corporation. The meeting was closed under the exception for "education or training," and the resolution indicated that the corporation would be educating council about "local distribution company trends." However, during the closed meeting, council was provided with information about a proposed merger between the corporation and another, and given the opportunity to ask questions about it. Although council did not debate the merger or make a decision, the information presented and the questions asked by councillors materially advanced council's business and decision-making, constituting an illegal meeting, outside the scope of "education or training."

Too secret

When council for the **City of Timmins** went in camera on June 27, 2016 to talk about the city's Chief Administrative Officer retiring, the discussion fit within the exception for personal matters. However, council went on to discuss the recruitment process to replace him, which did not fit within any of the exceptions in the *Municipal Act*. Council also decided during the closed meeting to form a hiring committee and used a secret ballot process to appoint members – this was illegal, as the Act prohibits such votes in closed sessions.

September 21, 2016: Ombudsman Paul Dubé speaks to the Association of Francophone Municipalities of Ontario in Hearst.

> "Our council is always fully co-operative with the [Ombudsman's] process and we are very cautious about the reasons for when we go in camera... It is healthy in our democracy for this level of oversight... I welcome the investigation as I do with all of them."
>
> *London Councillor Josh Morgan, quoted by Blackburn News, November 23, 2016*

EDUCATION – PROVINCIAL MINISTRIES AND PROGRAMS

Overview and trends in cases

At the provincial level, the Ministry of Education and the Ministry of Advanced Education and Skills Development (MAESD) are responsible for everything from early childhood education through to post-secondary and post-graduate studies, as well as various assistance programs for students. However, individual school boards – discussed in the next chapter of this report – deal with day-to-day administration of schooling children through Grade 12.

And although the MAESD directly administers Ontario's colleges of applied arts and technology, private career colleges and other training programs, universities have a different governance structure – see the **Universities** chapter of this report.

We received only **52** general complaints about the Ministry of Education in 2016-2017, a significant drop from **256** the previous year. Complaints about the Ministry of Advanced Education and Skills Development (formerly the Ministry of Training, Colleges and Universities) also declined to **396** from **501** in 2015-2016, when it was still dealing with issues related to the sudden closure of Everest College in February 2015.

Colleges of applied arts and technology

Complaints about Ontario's **24** colleges of applied arts and technology increased to **161** in 2016-2017 from **137** the previous year. Similar to the complaints we receive about universities, the most common issues were fees, academic decisions, program requirements and disability accommodations for students. We also received complaints about tuition refunds, instructor conduct, college labour relations matters, and issues of bullying and harassment.

We resolved most complaints informally through referral to officials at the colleges in question, or to the Ministry (or in the case of labour matters, to the appropriate professional association). As an office of last resort, we look at whether the college has established and followed fair procedures. For example, one student complained to us after his college suspended him for misconduct and required him to undergo a psychological assessment before he could return to classes. We reviewed the evidence considered by the college's appeal panel and determined it had followed its procedures.

Similarly, when a student's mother complained about her daughter failing a college course, we confirmed that the college had a clear, two-stage grade appeals process, which the student had not pursued after her first attempt at appealing her mark.

TOP 5 CASE TOPICS

1. Colleges of applied arts and technology — 161
2. Ontario Student Assistance Program — 134
3. Second Career — 35
4. Private career colleges — 22
5. College of Trades — 20

However, when a student from the U.S. was told he could not enrol in an Ontario college because the assessment of his high school credentials was delayed by a firm used by the Ministry, our staff spoke to the college on his behalf. Rather than make him wait another year to start classes, the college permitted him to write a Grade 12 math equivalency test, which he passed, enabling him to enrol.

Another college agreed to make more information available about insurance eligibility for students with permanent disabilities after a woman complained that the student health insurance plan provided her less coverage than expected. Our inquiries with the college confirmed that, as an accommodated student, she was eligible for full coverage while taking a 40% course load. She had fallen below that threshold when she dropped a course, but was not aware of this. The college has since initiated efforts to improve its communications to students about health coverage.

Ontario Student Assistance Program (OSAP)

Complaints about OSAP, which provides grants and loans to college and university students, declined to **134** in 2016-2017 from **155** the previous year. These commonly involved issues with OSAP decisions, delays or communications.

For example, OSAP put a hold on a student's application for assistance for the 2016-2017 academic year because it wanted her to provide information from 2005, when she had claimed bankruptcy. The student told us she had already submitted information about this to OSAP in 2010 and 2014, and that her post-secondary institution had it on file. Our staff contacted OSAP and pointed out that its delay was preventing the student from paying her tuition. OSAP reviewed her file, confirmed the information already provided was sufficient, and the student received the funding she applied for.

Second Career

The Second Career program offers skills training and financial support for laid-off, unemployed or underemployed workers, or others who want to train for new work. We received **35** complaints about the program, up from **28** in 2015-2016 – most of which related to the program's decisions on funding eligibility or service issues.

In one case where we helped a Second Career applicant, our intervention also prompted a provincewide change to the program's guidelines. A man training to become an electrician was told his application was denied because his training provider was not on the Ministry's approved list. The man contacted the school, which verified that it had other students whose training was funded through Second Career. After Ombudsman staff spoke with a regional official, the Ministry's Program Development Branch reviewed the Second Career guidelines and determined that all pre-apprentices are eligible for the program, even if their training delivery agent is non-approved. The man's application was approved and we were advised that the new guidelines would be made available publicly across the province.

Ontario College of Trades

Our Office received **20** complaints about the College of Trades' increase in registration fees, as well as delays in receiving the results of trade certification examinations. Most of these complaints were resolved through informal referral to the college's staff or complaint process. For example, when a man complained that he hadn't received his trade certification in over a month, and he needed it to obtain work, our staff made inquiries with the college. We were told that it normally takes 4-6 weeks to send out certifications, but college officials agreed to expedite a copy so the man could use it for employment purposes.

Cases related to school boards and universities are summarized separately in the next two chapters of this report.

Investigations

Monitoring of unlicensed daycares

Report: *Careless About Child Care*, released October 2014

Investigation update: The Ombudsman's investigation into unlicensed daycares was launched after the July 2013 death of two-year-old Eva Ravikovich at an illegal unlicensed daycare in Vaughan – the fourth death of a child in an unlicenced daycare in seven months. The Ministry of Education implemented all **113** of the Ombudsman's recommendations to strengthen monitoring of unlicensed daycares and improve inspections and enforcement.

In April 2017, the operator of the illegal Vaughan daycare pleaded guilty to criminal negligence causing death, admitting for the first time that there were more than 35 children in the daycare and that Eva had been left for seven hours in a vehicle, where she died of heatstroke.

Case summaries

Zero balance

A student enrolled in a college's early childhood education program, but was unable to attend. She did inform the college, but because she missed the deadline to withdraw from the course, she received a grade of zero and had to pay **$1,400** in outstanding program fees. Our review determined that there had been miscommunication between the student and college administrators. As a result of our intervention, she was refunded the $1,400, and the zero grade was removed from her transcript.

Not a loan

A student who moved back home to live with her parents in the last semester of her two-year college program complained that her OSAP funding was denied. Her parents were both significantly ill and had lent her $5,000 from their retirement fund to pay for school. Ombudsman staff reached out to OSAP to reassess the student's application, which incorrectly identified the loan from her parents as a financial asset. As a result, OSAP provided the student with **$1,880** in grants.

GOOD TO KNOW

A breakdown of cases by college can be found in the Appendix.

EDUCATION – SCHOOL BOARDS

Overview and trends in cases

The Ombudsman's new oversight of school boards took effect on September 1, 2015, meaning almost two full school years have elapsed since we began taking school board complaints. The volume of complaints has increased steadily as awareness about our oversight has grown: We received **945** cases in fiscal 2016-2017, compared to **398** in the seven-month period of 2015-2016 after our new mandate began. The number of boards complained about also grew – to **64** from **54** last year.

The main topics of complaint remained consistent. Transportation (school buses) was the most common complaint, mainly because of busing problems in Toronto at the start of the school year in September 2016. The Ombudsman launched a systemic investigation into the Toronto situation, but we also resolved dozens of complaints about transportation at other boards across the province.

Special education and school closures continued to be major areas of complaint as well. All complaints were resolved informally, without need for a formal investigation. In most cases, our staff made informal inquiries with supervisory officers at boards to understand their responses to complaints and, where possible, to suggest improvements to their processes and increase transparency.

In reviewing complaints from across the province, we have also noticed some variations in school board policies and administrative procedures. Where appropriate, we have made suggestions to boards to promote consistent standards – for example, in training school board administrators in investigation and note-taking techniques.

We also routinely encourage school boards to share as much information as possible with relevant staff and stakeholders when, for example, individual education or behavioural plans are put in place for students.

Transportation

Transportation was by far the most common theme among school board complaints in 2016-2017, with **192** cases – the bulk of which related to our systemic investigation into busing issues in Toronto (described under **Investigations**). However, we also resolved many complaints about busing issues in other boards across the province through informal inquiries with board and transportation officials.

For example, when their board's transportation consortium cancelled school buses in their neighbourhood because a new development provided a walking route for many of the children, parents complained about dangerous traffic conditions along the route. Our review indicated the consortium's decision was consistent with the school board's policy; however, we are monitoring

CASES BY TYPE OF BOARD

developments, as the consortium has agreed to work with a traffic committee created by the municipality.

Special education

We received **123** cases related to concerns about special education. In some cases, we provided referrals back to relevant supervisory officers and appeal mechanisms. For those complaints related to the quality or sufficiency of special education services, our staff worked to help parents and boards resolve issues informally. Although our Office does not advocate for either families or boards, or for specific solutions, we can help open the lines of communication.

School closures and pupil accommodation reviews

Decisions to close schools are almost always contentious, and they have recently been on the rise as boards struggle with declining enrolment. In the wake of several public protests and media reports of hundreds of pending closures, particularly in rural areas, the Education Minister announced public consultations on the issue in April 2017.

The Ministry has specific guidelines for how boards should determine which schools to close and how such decisions can be appealed. Boards must complete a pupil accommodation review process, which can be challenged if a petition is signed by at least 30% of those affected; this in turn can prompt the Ministry to appoint a facilitator to review the board's process.

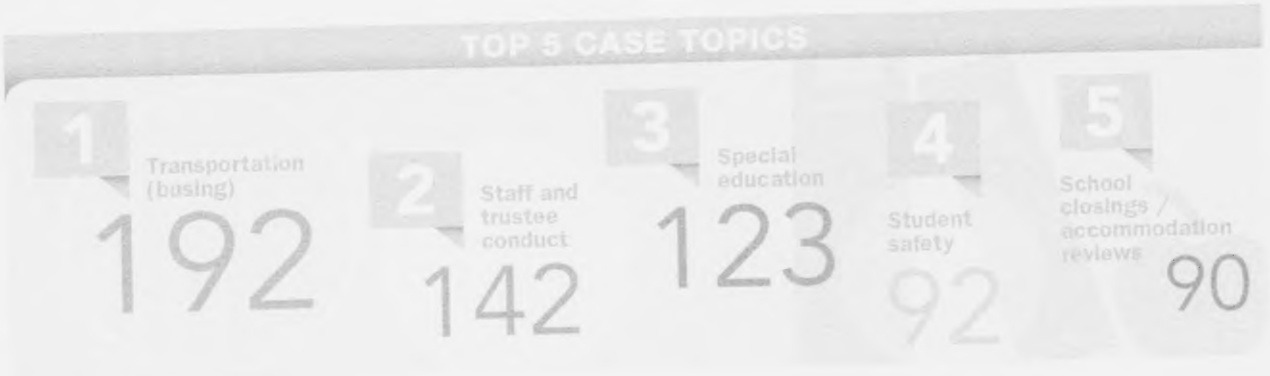
We received **90** complaints about board decisions to close schools and/or their pupil accommodation review processes. For example, we received several complaints from parents about the **Dufferin-Peel Catholic District School Board**'s decision to close two schools, which we first referred to the Ministry's review process. After the Ministry declined to appoint a facilitator, some of the original complainants returned to our Office with concerns outside the scope of that review – including issues with the board's procedural bylaw and allegations that a trustee might have had a conflict of interest because her daughter worked at one of the affected schools.

In a letter that the board posted on its website, Ombudsman staff explained that our review found the board had acted within its authority to close the schools, but it also agreed to clarify some of its procedures in the interest in transparency.

We also received complaints about the Ministry's refusal to appoint a facilitator to review another board's pupil accommodation process. We found the Ministry's decision was consistent with its policy and procedures, but we noted that it had not communicated its decision to the broader school community. The Ministry agreed to ensure its letter was posted to the school board's website, and to make similar letters publicly available in future.

Trustee conduct

We received **42** complaints about the conduct of elected school trustees, including some from trustees themselves, who raised concerns about their boards' codes of conduct. We encourage boards to communicate clearly with the public about how any concerns about trustees will be handled.



In reviewing such cases, we suggested ways for boards to improve their codes of conduct and processes for dealing with conduct issues.

For example, when the **Rainbow District School Board** excluded a trustee from in-camera meetings because of concerns related to the confidentiality of board communications, we reviewed complaints from the trustee that the board hadn't followed its own code of conduct procedures. We found that the board's action in this case was inconsistent with its procedures, and we suggested it deal with the trustee's concerns at a meeting, and amend its code of conduct. Certain other amendments proposed by the board chair were defeated by the board at a meeting in March 2017. We continue to monitor the board's efforts to improve its code of conduct procedures.

Our Office often suggests school boards consider retaining an independent third party to act as an integrity commissioner for trustees. At the time this report was written, only the **Toronto District School Board** had one in place, and **York Region District School Board** was in the process of doing so. Integrity commissioners can provide trustees with advice and independently investigate and report to the board on conduct complaints.

Exclusion policies and procedures

In last year's Annual Report, we noted concerns about a provision of the *Education Act* that permits principals to exclude people, including students, from a school if there is a risk to student safety. These exclusions – formally called a "refusal to admit" in the Act – happen outside of the formal suspension and expulsion processes, usually to manage difficult situations involving students with severe behavioural issues. Only a few boards have developed exclusion policies and procedures, and we have heard from some that policy direction from the Ministry of Education has been lacking, often leaving boards to fend for themselves when dealing with contentious and difficult exclusions.

Our Office encourages school boards to develop policies and procedures to ensure the process leading to an exclusion is fair and transparent, and that those affected by exclusions are made aware of their appeal rights. In one case we reviewed, a student was excluded from school because of police-involved incidents that took place outside of school, but his family was not informed of their right to appeal. Because the board was providing the student with home instruction, it believed the exclusion provision of the *Education Act* did not apply. After Ombudsman staff made inquiries, the board acknowledged the family should have been made aware of the relevant appeal rights, and it agreed to develop an administrative procedure on exclusions.

Investigations

School busing issues in Toronto

Launched: September 2016

Investigation update: On the first day of school in September 2016, our Office began receiving complaints from frustrated Toronto parents and school

principals about school buses that arrived long after their scheduled times, or didn't show up at all. The problem continued and grew over the next several weeks. At issue was a shortage of drivers that left both the **Toronto District School Board** and **Toronto Catholic District School Board** – which share the same transportation consortium – unprepared.

Parents were concerned about long waits for buses and the safety of children who were left behind or dropped off in the wrong places. Principals were upset that they had received no advance information about possible service disruptions. Several bus drivers also complained to us about conditions that they felt contributed to the problem.

Given the volume and gravity of complaints expressed to our Office, the impact on families and some vulnerable students, and the significant taxpayer funding involved, the Ombudsman felt a systemic investigation was in the public interest. Launched on September 26, 2016, the investigation focused on the boards' oversight of student transportation and their responses to the delays and disruptions at the start of the 2016-2017 school year.

As of the writing of this report, the Ombudsman's findings had been sent to the boards and consortium for a response. The report will be finalized and released before the start of the 2017-2018 school year.

April 22, 2017: Ombudsman staff speak to parents about how we can help with school board issues, at an event organized by Parents Engaged in Education in Markham.

Case summaries

Credit deserved

The parent of a high school student with autism spectrum disorder contacted us after she was informed by her son's school that he would not receive credit for one of his courses because he had not met course expectations. The mother's understanding was that her son had passed all tests and assignments. Ombudsman staff spoke with a superintendent and encouraged the board to review the mother's concerns and provide any relevant documentation to ensure a transparent decision-making process. The board determined that although a teacher had concerns about the student's performance, there was no documentation to show he had not met expectations; as a result, he received the credit with a grade of 84%.

Monitors, not medics

The mother of a five-year-old girl with medical needs enrolled her in a special program after she was told a bus monitor would be assigned to administer the child's medication if needed. But in fact, bus monitors are not trained to give any medication except EpiPens or asthma inhalers in certain situations. After the mother opted to withdraw her daughter from the program, the school board and transportation consortium revised their busing request forms and process to clarify the duties of bus monitors.

EDUCATION – UNIVERSITIES

Overview and trends in cases

Colleges and universities are similar in many respects, including in the types of complaints they generate. But unlike colleges, which are directly overseen by the province and have always been within our mandate, universities have a different governance structure and were not part of our jurisdiction until legislative changes took effect in January 2016.

The 2016-2017 fiscal year is our first full year of oversight of Ontario's **21** publicly assisted universities.

We received **175** complaints about **19** different universities, and all were resolved through informal inquiries or referrals, without need for formal investigation. Common complaints were not unlike those we received about colleges – relating to academic decisions and appeals, fees, admissions and program requirements.

In many cases, we were able to refer complaints to the university's own ombudsman, which exist in various forms at about half of the universities in the province. We encourage all universities to establish independent and impartial ombudsman offices, as well as clear complaint processes. As an office of last resort, we do not replace or redo the work of the university ombudsman or other appeal bodies, but we can review whether the university's processes and policies were fairly followed.

We also received complaints about employment or labour relations matters from university staff. These were referred to the relevant unions or professional associations.

Graduate supervision and academic appeals

Academic decisions and appeals were the most common topic of complaint regarding universities in 2016-2017. Many of these related to decisions by supervisors of graduate students, or the adequacy of supervision. We refer such

GOOD TO KNOW

A breakdown of cases by university can be found in the Appendix.

TOP 5 CASE TOPICS

1	2	3	4	5
Academic appeals	Tuition, fees, financial assistance	Admissions	Labour issues	Staff/faculty
27	21	19	16	13

February 16, 2017: Ombudsman staff share information about our work at the annual conference of the Ontario University Registrars' Association in Toronto.

complaints to the appropriate academic appeal mechanism at the university, although we can review the final outcome if a student is not satisfied.

If our review identifies any gaps in relevant policies and procedures, we can make suggestions for improvement. In one case, we helped a PhD candidate who was denied the opportunity to appeal his failure of a comprehensive exam. The university had said the decision was not appealable, but after we reviewed and inquired about its rationale, it acknowledged it had misapplied its policy and allowed the student to proceed with his appeal.

We can also make suggestions to help universities improve the clarity, fairness or flexibility of their appeal processes. For example, a student complained to us that his university had unnecessarily delayed his academic appeal after he complained that a professor did not accommodate his needs. We found the professor had acted in accordance with university policy, but we discovered the student's academic appeal had been suspended by the university after it learned the case might be subject to legal action – and it had not informed the student of the suspension. We suggested the university clarify its policy and notice requirements for students whose appeals are suspended.

Fees and Ontario Universities Application Centre

Complaints about university fees and admissions are quite common, and we are usually able to resolve these through referrals and inquiries with relevant officials at the university level. We have also received a few complaints related to the Ontario Universities Application Centre, which is a not-for-profit agency that reports to the Council of Ontario Universities and charges fees to process students' applications to universities across the province. As the OUAC appears to lack independent oversight, our Office is monitoring how individual universities and the province respond to concerns about its fees.

Mental health and special needs accommodations

Working with students who present needs related to mental health is a recurring theme in the university cases we review. When students complain to us about how the university is – or is not – accommodating their special needs, we refer them to the university's accommodation policies and procedures, and may make suggestions for improvement as appropriate. If students have concerns under the *Human Rights Code*, we can refer them to the Human Rights Legal Support Centre or Human Rights Tribunal of Ontario.

Several cases we reviewed were resolved after we determined that the universities in question acted according to their policies and procedures. These included a case where a student was unhappy with the university imposing a behaviour contract on her after she complained that comments made by university staff had caused her mental distress, and another where a student alleged discrimination because a university would not accommodate her request for an assignment extension.

Case summaries

Looking for answers

A student complained to us that his university had failed to respond to him on several matters, including a grade appeal, requests for a bursary and a refund for a dropped course. We made several inquiries with the university and found that it had not effectively communicated its process or decisions to the student, despite having taken action in response to some of his concerns. The university wrote to the student, explaining the university's position and what actions had been taken.

To be fair

A student who had been expelled from university after an academic fraud inquiry complained to us that the university failed to respond to its own ombudsman's report on his case, which raised concerns about the fairness of the inquiry and the sanctions it imposed. The university had changed its discipline policy in response, but refused to reopen the case. We reviewed the university ombudsman's report, relevant documentation and policies, and spoke with senior administrators. Although our review did not change the outcome for the student, the university accepted our suggestion that it develop a procedural fairness guide for its decision-making bodies.

February 16, 2017: Ombudsman General Counsel Wendy Ray speaks to the Ontario University Registrars' Association in Toronto.

TOP 5 UNIVERSITIES BY CASE VOLUME

1. University of Toronto — 28
2. McMaster University — 15
3. York University — 12
4. Western University, Laurentian University, University of Ontario Institute of Technology, University of Waterloo — 11
5. University of Ottawa — 10

EMPLOYMENT

Overview and trends in cases

Complaints in this category declined substantially in 2016-2017, as total complaints about the Ministry of Labour dropped to **692** from **828** the previous year. As in the past, the bulk of these complaints were about the Workplace Safety and Insurance Board (WSIB) and the tribunal that deals with WSIB appeals, the Workplace Safety and Insurance Appeals Tribunal (WSIAT) – although complaint volumes for both declined from last year. We received **492** complaints about WSIB (compared to **594** the previous year), and **100** about WSIAT (down from **128**).

Due to the high volume of complaints, our Office has assessed systemic issues at WSIB and WSIAT, including delays and adjudicator shortages. We also work to resolve individual cases wherever possible, and refer people to the Fair Practices Commission (the WSIB's internal ombudsman) or the offices of the Worker Adviser or Employment Adviser, as appropriate.

Worker claims of chronic psychological injury

We received complaints in November 2016 from several community legal clinics and labour specialists, as well as some workers' groups and individuals about how WSIB deals with compensation claims related to chronic stress in the workplace. Among their concerns was that WSIB does not compensate workers for injuries incurred through chronic mental stress at work (as opposed to those incurred by a single incident of acute stress), and that workers instead must pursue lengthy and often costly appeals to have their claims considered.

In January 2017, the Ombudsman met with the Deputy Minister of Labour, who advised that the Ministry was expecting to receive government direction on this issue within the coming months. In the April 2017 budget, the government announced that workers will receive compensation for injuries caused by chronic or traumatic mental stress arising from their employment. We continue to monitor this issue.

Clothing allowance for injured workers

Last year, we reported on a longstanding issue involving WSIB's decision to provide only partial clothing allowances to workers who used soft back braces between 1996 and 2006 (even though before and after this period, it paid full compensation to workers whose clothing was damaged by braces). After our intervention, the WSIB agreed to contact all workers who believed they were not fairly compensated, and in October 2016, it sent letters to those who were potentially eligible for additional compensation. As of March 31, 2017, some **4,100** people had made claims using the new process, and all were compensated.

Ontario Immigrant Nominee Program

Another employment-related complaint trend we noted this year involved the

TOP CASE TOPICS

Workplace Safety and Insurance Board

492

Workplace Safety and Insurance Appeals Tribunal

100

Ministry of Citizenship and Immigration's program to nominate immigrants who are skilled workers, entrepreneurs, international students and staff of international corporations.

We received **15** complaints about the Ontario Immigrant Nominee Program in 2016-2017, almost all of which were about delays and communication problems. Although the Ministry had publicized a 90-day service standard, some people told us they waited for decisions for more than a year – for some, this meant they had to incur additional costs to retake language tests and resubmit their applications.

Ombudsman staff met with senior Ministry officials, who said the program had recently experienced a surge in applications, overwhelming its service standards. In May 2016, it temporarily suspended applications to process those already received, pending the launch of a new online application process. When it reopened applications for international graduate students and skilled workers in February 2017, would-be applicants complained that the online process, which required them to submit their applications within seven days, was not working. Ministry officials advised us that there were technical difficulties due to high demand, but it extended deadlines and increased the capacity of the filing portal, and committed to providing public updates on its website.

Investigations

Systemic issue assessment: Medical advice to WSIB

Launched: November 2015

After the Ontario Federation of Labour (OFL) and the Ontario Network of Injured Workers' Groups (ONIWG) released a report in November 2015 alleging that the Workplace Safety and Insurance Board was not dealing fairly with injured workers' medical information, Ombudsman investigators began an assessment of WSIB's management of medical advice for injured workers.

In 2016-2017, the Ombudsman met with the President and Chief Executive Officer of WSIB, as well as senior staff from the OFL and ONIWG, and other groups representing injured workers, and Special Ombudsman Response Team investigators spoke with workers' groups and health care professionals about the issue of medical consultants. The Ombudsman noted that there appeared to be a significant effort by all involved to deal constructively with the issues raised. We continue to actively monitor these efforts and any developments.

Systemic issue assessment: WSIAT backlog of appeals

Launched: April 2015

The Special Ombudsman Response Team's assessment of WSIAT's backlog noted that the tribunal's normal workload of about **4,000** active appeals had more than doubled, surpassing **9,000** by the end of 2015, leaving some people waiting years for their cases to be heard. A new Chair of WSIAT was appointed in September 2016. The Ombudsman met with him in January 2017 to discuss the tribunal's efforts to deal with the backlog – including the hiring of more vice-chairs, a pilot project to review cases earlier and an increase in the number of hearings. WSIAT is also reviewing all of its policies and procedures, and considering increasing mediation and the use of videoconferencing to expedite cases. The number of active cases had fallen to **7,662** by the end of March 2017. Given this progress, Ombudsman staff will continue to monitor the issue.

Case summaries

Privacy dependent

The widow of a man killed in a workplace accident complained to us that WSIB would not extend survivor benefits to her son, because it had no evidence that the worker, who was not the boy's biological father, was his legal parent at the time of the accident. The decision letter also provided her no information about how to appeal. When we contacted WSIB staff, they initially told us that, due to privacy concerns, they could not contact the woman because she was not listed as a dependent on the worker's file. After further reviewing the matter, the WSIB agreed to provide the woman's lawyer with the worker's file and the relevant appeal forms.

Appeal apology

A man contacted our Office in frustration after the WSIAT heard only one of several claims he had filed, when he was expecting to have them all heard at the same time. Our inquiries determined that the mixup was due to the Office of the Worker Adviser failing to complete the internal appeals process at the WSIB. The Office of the Worker Adviser formally apologized to the man and expedited his appeal, which was ultimately successful.

HEALTH

Overview and trends in cases

Like the health care system itself, oversight of the bodies that administer health and long-term care services in Ontario is complex. Our Office oversees the Ministry of Health and Long-Term Care, the Ontario Health Insurance Plan and numerous programs that assist with funding drugs and medical devices. However, complaints about patient care – including those related to hospitals, long-term care homes and Community Care Access Centres (CCACs) – are now the responsibility of the Ministry's new Patient Ombudsman, which opened its doors on July 1, 2016.

We received **554** complaints about Ministry programs within our jurisdiction in 2016-2017 – this included **19** complaints about Local Health Integration Networks (which, unlike CCACs, remained within our jurisdiction). However, we received a greater number of complaints about bodies outside our jurisdiction: **528** about hospitals, **60** about long-term care homes and **87** about CCACs after July 1. These were referred to the Patient Ombudsman. We also received **16** complaints about the Patient Ombudsman's office in its first nine months of operation; these were about delayed responses or disagreements with decisions, and were informally resolved.

Ontario Health Insurance Plan (OHIP)

Complaints about OHIP dropped slightly in 2016-2017, to **115** from **144** the previous year, but the most common issues continued to be those related to the renewal and replacement of OHIP cards. We also received complaints from people who disagreed with OHIP's lack of coverage of certain medical procedures and treatments, such as laser cataract surgery and physiotherapy, and denials of coverage for medical treatments outside Ontario. Where appropriate, we advise complainants of the process for appealing OHIP decisions.

Assistive Devices Program

We received **37** complaints about the Assistive Devices Program (ADP), mostly involving service issues or denials of requests for mobility equipment. In one case, we helped a woman get her power wheelchair fixed after a wheel fell off and the ADP's approved vendor would not arrange to repair it. Our staff were able to facilitate communication between the ADP and the vendor to get the woman's chair fixed.

Public drug programs

We received **65** complaints in 2016-2017 about Ontario public drug programs, which fund patients' medications and are separate from OHIP. Of these, **24** were about the Exceptional Access Program (EAP), and **20** about the Trillium

TOP 5 CASE TOPICS

1. Hospitals (outside our jurisdiction) — 528
2. Ontario Health Insurance Plan — 115
3. Drug programs — 65
4. Long-term care homes (outside our jurisdiction) — 60
5. Assistive devices — 37

Drug Program. Many complainants questioned how and why funding for certain drugs was denied, while others experienced customer service issues.

One issue that we continue to monitor after it was raised by a complainant is how the Ministry funds cancer drugs that can be taken at home. As one kidney cancer patient noted in a complaint to us, the Ministry provided funding for intravenous chemotherapy drugs in hospital, but would not fund the equivalent drugs that were available in pill form, to be taken at home.

Investigations

Screening of newborn babies

Report: *The Right to be Impatient*, released September 2005

Investigation update: In 2005, the Special Ombudsman Response Team's investigation revealed serious problems in the province's newborn screening program, which tests babies' blood at birth for preventable or treatable genetic disorders. At that time, Ontario was screening for just 2 disorders, and an estimated 50 newborns per year were dying or becoming severely disabled from conditions that could be detected by screening. Immediately thereafter, it began expanding the number of tests through Newborn Screening Ontario (NSO).

Ten years later, in the wake of news reports in April 2015 about delays over holiday weekends possibly putting babies at risk, Ombudsman investigators made informal inquiries with NSO about its response. In March 2016, the Ministry advised us it had approved funding for extended NSO operations on weekends – and for the screening of a 30th disorder, chronic congenital heart defects.

As of November 2016, the NSO was operating 7 days/week, and continued to improve its timelines for blood collection and testing. We learned of 2 cases where aggressive diseases were detected on weekends, resulting in earlier diagnosis and treatment for those babies. Screening for chronic congenital heart defects was introduced in February 2017 and is expected to be rolled out across the province by the end of the year.

Non-emergency medical transfer services

Completed May 2011, no report issued

Investigation update: Our Office continues to monitor the government's progress in regulating the non-emergency medical transfer industry, also known as "stretcher transportation services" in the wake of our 2011 investigation. Regulations to deal with this issue under amendments to the *Highway Traffic Act* are still in progress, pending consultations by the Ministry of Transportation, which are expected to take place later in 2017.

Case summaries

Got him covered

A man who had lost all of his identification a few years earlier sought our help because he was unable to get health coverage through OHIP. Ombudsman staff made inquiries with OHIP about how he could prove he was an Ontario resident. OHIP was able to verify that he was a permanent resident through Citizenship and Immigration Canada, and granted him temporary health coverage for a year, to allow him time to replace the rest of his missing identification.

Delay headache

A woman whose migraine medication is covered through the Exceptional Access Program contacted us because she was worried about how long it was taking the program to approve a renewal of her prescription. She feared she would run out of medication before a new supply was approved. Our staff confirmed that the EAP had received her application and that it would expedite its approval so she would not run out.

TRANSPORTATION

Overview and trends in cases

We received **475** complaints related to Ministry of Transportation programs and agencies in 2016-2017 – a decrease from last year's **582**. The most common area of complaint by far is driver licensing, including issues involving the medical review of licences. As we have done for the past several years, our senior staff meet regularly with senior Ministry officials to address complaint trends and potential systemic issues. This proactive work has led to some notable improvements without need for formal investigation.

Medical review of driver licences

The Ministry's Medical Review Section is responsible for reviewing and responding to physician and/or police reports about drivers who may be medically unfit to drive. It has authority to suspend licences, and has generated hundreds of complaints to our Office in recent years, largely related to customer service and administrative issues such as document handling, correspondence and communication.

In one egregious case, a driver lost his job because the Medical Review Section erroneously suspended his licence for nearly a year. The suspension was issued for failure to provide satisfactory medical information, even though he did not have a medical condition. Ombudsman staff made inquiries about the case with the Ministry, which reviewed his file and immediately reinstated his licence when it discovered several administrative errors had been made. It also compensated the man for the financial hardship he incurred during the **315** days he was without a licence.

Duplicate licences

Over the past several years, the Ministry has addressed serious concerns raised by our Office about the safety implications of duplicate records in its system, after a 2012 case where we discovered a convicted drunk driver still had a valid licence because his licence suspension was inadvertently entered against a duplicate (or "ghost") licence record in the Ministry's database. Cases where duplicate records existed for people whose licences were suspended for dangerous or impaired driving were rectified, and the Ministry's long-term plan is to transition to a new system. However, we continue to receive complaints about duplicate records and the process followed by the Ministry and ServiceOntario for matching and merging them.

For example, one man complained that he only learned the Ministry had a second record for him after police stopped him and charged him with driving with a suspended licence; his

TOP CASE TOPICS

1	2	3	4
Driver licensing (general)	Medical review of driver licences	Vehicle licensing	Metrolinx
211	116	44	34

duplicate record showed his licence had been suspended for more than 10 years. After ServiceOntario merged the two records, he was given the okay to drive again – but he then received a letter from the Ministry saying he would first have to go through its graduated licensing program (normally for new drivers). As a result of our inquiries, the Ministry reviewed the case and determined the man did not have to do any additional testing.

Correspondence issues

We have also raised concerns with the Ministry about how it deals with returned mail – in the wake of several complaints from drivers whose licence renewals, suspensions and other documents were sent to the wrong address or simply not delivered. The Ministry advised us that about 5% of the mail it sends out, or some 550 pieces of mail per week, is returned to its Driver Improvement Offices – and 52% of these are suspension notices (the rest are licence cancellations, reinstatements and reminders).

Once we escalated this concern to the senior officials at the Ministry, they immediately implemented short and long-term corrective measures, including a manual audit of returned mail, and system changes that will flag drivers whose mailing addresses are different from their street addresses. It also provided training to its staff and direction to ServiceOntario and DriveTest to ensure address data is correctly inputted, and reached out to Canada Post as well. Longer-term solutions involve upgrades to the Ministry's computer system. The Ministry has committed to providing our Office with regular updates on its efforts to deal with this issue.

Defective licence plates

In recent years, many Ontarians have noticed the reflective coating on their vehicle licence plates deteriorating, cracking or peeling. A complaint to our Office in 2014 about this issue prompted the Ministry to improve its public communications: It will replace the plates free of charge, but only if they are less than five years old (although as of last year, it has discretion to extend this in some cases).

We continue to monitor the Ministry's response to problems with the plates, which are manufactured by inmates at the province's Central East Correctional Centre. We received another 10 complaints in 2016-2017, most relating toServiceOntario's refusal to waive the $40 replacement cost for plates that are more than five years old.

Senior driver's licence renewal delays

In July 2016, we received 30 complaints from seniors – some of whom were referred by their concerned MPP – who encountered long delays and scheduling problems in renewing their driver's licences. Under the Ministry's Senior Driver's Licence Renewal Program, drivers aged 80 and older must complete an education program every two years to renew their licences. The only way to schedule the education sessions was by phone, and many who tried found they could not get through, or faced long waits on hold. Others faced arbitrary cancellations and delays, leaving several unable to complete the program before their licences expired.

Our Office met with Ministry officials, and investigators reviewed the complaints. The Ministry explained that the program had an unprecedented volume of calls in summer 2016 because it had sent out a large number of notices to drivers in anticipation of a possible Canada Post strike. The Minister also wrote to the Ombudsman to outline what was done to address the problem: Among other things, the Ministry hired additional staff to deal with calls and reduce wait times – and it gave seniors the option to contact staff by email or to schedule their appointments with ServiceOntario, instead of just by phone.

Cases about driver's licences are included in this chapter, while all other cases related to ServiceOntario appear in the **Certificates & Permits** chapter.

Investigations

Driver's licence reinstatements

Launched: May 2017

In May 2017, the Ombudsman announced an investigation into how the Ministry of Transportation communicates licence suspensions and reinstatements to drivers who were suspended for unpaid fines, in the wake of several complaints by drivers who had no idea their licences were invalid.

Some continued driving for years, and only discovered their licence suspensions through their insurance companies or police. The Ministry then treated them as new drivers and required them to go through the graduated licencing program.

We have raised this issue informally with the Ministry in recent years to suggest improvements to its suspension and reinstatement fee notification letters, but complaints have continued, indicating a potential underlying systemic problem. Of particular concern is that drivers who are unknowingly suspended are not covered by insurance if they are in an accident. This could be financially catastrophic for them and could put members of the public at risk.

The investigation is focused on the adequacy and effectiveness of the Ministry's administrative processes for notifying drivers about licence suspensions and reinstatements, as well as how it monitors suspensions and co-ordinates with ServiceOntario.

Monitoring of drivers with uncontrolled hypoglycemia

Report: *Better Safe Than Sorry*, released April 2014

Investigation update: The Ministry has implemented 13 of the 19 recommendations made in this report, which identified gaps in its system for monitoring and reporting drivers with potentially dangerous medical conditions. After consulting with the medical community, it is in the final stages of drafting regulatory amendments to the *Highway Traffic Act* that will address two of the outstanding recommendations, by expanding the requirements for medical professionals to report drivers, and allowing medical professionals other than physicians and optometrists to report. It aims to introduce the new reporting requirements in January 2018.

Case summaries

Photo finish

A man who needed a new driver's licence for work complained to our Office that he could not get one because he didn't have adequate photo identification. He had tried to use his Canadian citizenship card, but it was rejected at the DriveTest location where he applied because the photo on it was taken 35 years earlier. After our intervention, Ministry officials agreed the citizenship card could be accepted as identification, and he was able to apply for a new driver's licence.

Cleared to drive

A driver who moved to Ontario from British Columbia complained to us that his job was at risk because of an impaired driving conviction from 13 years earlier. Although his B.C. licence was valid, the Ministry would not licence him in Ontario unless he completed the "Back on Track" program and installed a breath-testing device in his vehicle. Ombudsman staff assisted the man in providing relevant documentation about his B.C. driving record, which met the requirements of the Ministry's interprovincial licence exchange program. He was issued his Ontario licence within two weeks.

MONEY & PROPERTY

Overview and trends in cases

This category of complaints includes Ministry of Finance organizations such as the Financial Services Commission, the Ontario Lottery and Gaming Corporation and the Municipal Property Assessment Corporation (MPAC), as well as the Ministry of the Attorney General's Office of the Public Guardian and Trustee, which handles money and property matters for people who are incapable of doing so themselves.

Office of the Public Guardian and Trustee (OPGT)

For the past several years, we have worked with the OPGT to address persistent complaints about poor customer service, errors and communication problems with clients, who are often vulnerable people living with developmental disabilities or capacity issues. We received **159** complaints in fiscal 2016-2017, consistent with last year's **158**. In many cases, our inquiries have prompted OPGT staff to review available information or gather more. Senior Ombudsman staff regularly discuss individual cases and complaint trends with OPGT management, who have taken steps to make improvements.

In one case referred to us by an MPP's office, the OPGT had used a client's funds to purchase insurance for her, although she was already insured through the group home where she lived. As a result of our inquiries, the OPGT agreed to cancel the woman's insurance policy and reimburse her the **$145** it had paid in premiums.

We also helped an OPGT client who had applied for benefits through the Ontario Disability Support Program (ODSP), but heard nothing back. The woman's mother complained to us that OPGT should have followed up with ODSP, as the daughter's financial guardian. It turned out that the woman's ODSP application had been terminated and had to be refiled. The OPGT acknowledged that it should have acted sooner, and it reimbursed the woman **$1,368** – the amount she would have received in ODSP benefits if it had done so.

Financial Services Commission of Ontario (FSCO)

This past year, we received **38** complaints about FSCO, which regulates such things as pension plans, trust companies and the mortgage and insurance sectors. Most complaints related to customer service. For example, a former employee of the Art Gallery of Ontario complained to us about what she felt was an inadequate response from FSCO to her inquiry about her pension entitlement. She had written to them twice and received no response to her second letter. FSCO advised our staff that its customer service standard is to acknowledge receipt of an inquiry within five business days and respond within 15. The woman received an apology and a full response to her questions.

TOP CASE TOPICS

1. Office of the Public Guardian and Trustee — **159**
2. Municipal Property Assessment Corporation — **116**
3. Ontario Lottery and Gaming Corporation — **51**
4. Financial Services Commission of Ontario — **38**

Investigations

Municipal Property Assessment Corporation

Report: *Getting it Right*, released March 2006

Investigation update: More than a decade after the province responded to this report by suspending property assessments for two years and overhauling the system, we continue to monitor complaints about MPAC, which reassesses all properties in the province every four years.

The key issue in the nearly **4,000** complaints we received in the course of our 2006 investigation was the unfair onus placed on property owners who challenged MPAC's assessments to prove they were inaccurate, especially since MPAC closely guarded the data on which assessments were based. The then-Minister of Finance agreed the onus should be on MPAC to prove its assessments were correct, and the *Assessment Act* was changed to reflect this. MPAC subsequently created an online portal through which property owners could check and compare their assessments with those of similar properties. This welcome change resulted in a steep decline in complaints; in most years, we receive fewer than 100 (**47** in 2015-2016).

This past fiscal year was a provincewide assessment year – the third since our investigation. We received **116** complaints about MPAC, consistent with the **108** in we received in 2012-2013, the last assessment year. These primarily related to disputes about MPAC's valuation of properties, and concerns about the timelines in its "request for reconsideration" process. Our staff helped facilitate communication with MPAC in some cases, or provided information about available appeals. MPAC also met with our staff, as it has in past years, to share information on its latest processes and procedures.

This ongoing communication has been encouraging. However, we continue to monitor how MPAC provides information to property owners, beyond simply referring them to its online portal. The Ombudsman's concern is that a lack of information could create an unfair onus situation similar to what we found in 2006. MPAC has been co-operative to date in addressing complaints and concerns about this issue.

Public communication about Tarion Warranty Corporation

Report: *Building Clarity*, released June 2008

Investigation update: We have received numerous complaints over the past 10 years about Tarion Warranty Corporation, the administrator of Ontario's new homes warranty plan. We also receive complaints about the Licence Appeal Tribunal, which adjudicates disputes between homeowners and Tarion. Although Tarion itself is outside of our jurisdiction, in 2008, in light of more than **100** complaints from frustrated homeowners, we investigated the narrow issue of how the Ministry of Government and Consumer Services dealt with complaints about Tarion.

The Ministry made several changes to its public communications as a result, and Tarion appointed an internal ombudsman. However, concerns about Tarion continued to be raised by the public, MPPs and media, and in November 2015, the Ministry appointed Justice Douglas Cunningham to conduct a review of Tarion and the *Ontario New Homes Warranty Plan Act*.

In March 2017, the Ministry released Justice Cunningham's final report and announced it would move forward with his recommendations, including the creation of a new, standalone regulator for builders, removing that responsibility from Tarion. Other changes are expected to address the accessibility and effectiveness of the new home warranty dispute resolution process. We will monitor the Ministry's response to the Cunningham report and any resulting changes to the legislation.

Case summaries

Better late than never

A mortgage broker sought our help with a delay in renewing his licence through FSCO. His brokerage firm had missed the deadline to pay the **$800** renewal fee to FSCO, which in turn failed to process the renewal before his licence expired. The delay meant he would have to re-take a course for his brokerage licence, which would take another month. In the meantime, he requested a refund of the $800 from FSCO but got no response. Ombudsman staff also received no response, until we escalated the matter to senior officials. At that point, FSCO verified that it had received the man's renewal payment and agreed to issue his renewed licence immediately.

CERTIFICATES & PERMITS

Overview and trends in cases

The need for timely and accurate identification documents, licences and permits brings Ontarians in contact with government services every day. When those services – many of which are delivered through ServiceOntario outlets – don't work as they should, Ombudsman staff can help.

We received **280** complaints about the Ministry of Government and Consumer Services in 2016-2017 – a slight increase over last year's **265**. Cases related to ServiceOntario were about the same – **136**, compared to **135** the previous year. Other complaints in this category related to the Registrar General (which handles documents like birth and death certificates), and other licensing bodies.

ServiceOntario

As the frontline provider of most identification and official documents to the public, ServiceOntario most frequently attracted complaints about customer service issues, such as long lineups and delays, or rude or poorly informed counter staff. Although we referred the bulk of these cases to ServiceOntario's Customer Experience Office, we did intervene to resolve some individual cases.

For example, a woman who applied for an Ontario Health card complained to us that ServiceOntario had neither processed her application nor returned her original documents, including her birth certificates, bank statements and lease. ServiceOntario told us it returns all original documents it receives, but did not keep logs of incoming documents – and in this case, it had no record of receiving or returning the woman's papers. As a result of our inquiries, ServiceOntario began keeping records of all incoming mail. It provided the woman with a health card without further delay, and offered to help her replace her missing birth certificate.

In another case, after a visually-impaired man complained that ServiceOntario staff weren't sure how to obtain large-print versions of forms for name changes and death certificates, our Office verified that they had a process for ordering large-print forms, and ensured that its staff were made aware of it.

Children's identification

We also flagged a trend in complaints from parents who had trouble getting identification for their children via ServiceOntario. One mother of a 17-year-old complained that ServiceOntario said her son could not renew his Ontario Health card without a student identification card, which she said she could not afford. Our Office escalated the case to officials at the Ministry of Health and Long Term Care, who explained that the mother could go to ServiceOntario with the teen to serve as his guarantor.

TOP CASE TOPICS

1. ServiceOntario — 136
2. Registrar General — 94
3. Consumer Protection Branch — 17

Births, deaths and name changes – Registrar General complaints

We received **94** complaints about the Registrar General in 2016-2017, up from **67** the year before. The most common issues were customer service problems and delays.

For example, we helped a bride-to-be who wanted to change her surname to match her father's before her wedding. She needed a new birth certificate to use for her marriage licence and a new passport. After a glitch with her credit card payment not going through initially, she complained to us that time was running out and the Registrar General told her it could do nothing to expedite her request. After our staff contacted the Registrar General's office to address the urgency of her request, the woman's new birth certificate was mailed out within a day.

In another case, a father complained to us after he mistakenly spelled his newborn son's name wrong on a birth certificate application. He tried submitting a second application, but ultimately received a birth certificate with the wrong spelling – and he needed a correct certificate in order to get the baby a passport so the family could travel to a religious ceremony for him. Our staff spoke with the Registrar General's office to clarify what documents the father should provide to correct the error. The new certificate was issued in time for the family to obtain the baby's passport.

Case summaries

Identity issue

A woman who had surrendered her driver's licence for medical reasons complained to us that she was having trouble obtaining a photo identification card from ServiceOntario. She had presented her expired Canadian passport as documentation to obtain the new card, but was told it wasn't acceptable. We clarified with ServiceOntario and the Ministry of Transportation that the woman could still use her surrendered licence as photo identification.

Name changer

In 2001, after years of using his stepfather's surname, a man decided to revert to his original birth surname. He was issued a short-form Ontario birth certificate reflecting the change. But 12 years later, when he requested a long-form version, it still showed the stepfather's surname – and officials at the Registrar General's office told him there was no record of his 2001 name change. He sought our help because his child's birth registration, as well as all of his legal documents (including his passport, driver's licence and marriage certificate) used his birth surname. The Registrar General's office initially responded that the 2001 short-form certificate had been issued in error, and it could not legally change the man's name. But when Ombudsman staff escalated the case to senior officials, noting that the man had used the 2001 certificate in good faith for 12 years, they confirmed they could amend his records and provided him with new long- and short-form certificates with his birth name.

Cases related to driver's licences can be found in the **Transportation** chapter of this report.

ENERGY & ENVIRONMENT

Overview and trends in cases

There have been several changes affecting our Office's oversight of energy issues in recent years. Most significantly, we can no longer take complaints about Hydro One, which was removed from our jurisdiction when it was partially privatized in June 2015 (it now has an internal ombudsman, to whom we referred the bulk of the **470** complaints we received in 2016-2017). However, we continue to oversee the Ministry of Energy, and our new oversight of municipalities means we can take complaints about municipal hydro corporations.

Cases in this category also include public concerns about the Ministry of Environment and Climate Change, and the Ministry of Natural Resources and Forestry.

Energy issues

Among the **120** complaints we received about the Ministry of Energy were **55** related to the increasing costs of electricity and natural gas, and **10** related to the Ontario Electricity Support Program (OESP), which was introduced January 1, 2016 to assist low-income households with electricity costs. Electricity rates and delivery charges, as well as the new support program, are the responsibility of the Ontario Energy Board. Complaints about the OESP related to service delays and questions about eligibility.

Municipal hydro

Billing issues were the most common topic amongst the **194** complaints we received about municipal hydro corporations in 2016-2017. We resolved these locally wherever possible, without need for formal investigation. In one case, we contacted the local hydro company on behalf of a customer who discovered she had been billed for a commercial unit in her building for two years, at rates much higher than her actual level of consumption. The company initially told her to take up the issue with her landlord, but after we made inquiries, it investigated the matter and refunded her for the overbilling.

Environment and natural resources issues

Complaints about the Ministry of the Environment and Climate Change increased to **116** in 2016-2017, compared to **78** the previous year. A common topic continued to be the adequacy of steps taken by the Ministry to ensure compliance with environmental laws and standards. For example, we reviewed concerns from a resident of a trailer park about the Ministry's delay in addressing the park owner's failure to provide potable water. The Ministry responded that it had conducted a site visit, taken samples that showed the water was drinkable, and required the park owner to have a licensed technician assess the well.

TOP 5 CASE TOPICS

1. Hydro One — 470 (outside our jurisdiction)
2. Municipal hydro — 194
3. Electricity and natural gas costs — 55
4. Wind turbines — 76
5. Ministry of Natural Resources and Forestry — 54

In another case involving a septic waste hauler spreading untreated human waste on fields, we discovered that the Ministry was not publicly posting Environmental Compliance Approvals for hauled sewage. It has since publicly posted the list of approved hauled sewage disposal sites and announced a review of its hauled sewage policy and program. We continue to monitor its progress on this issue.

Similarly, complaints about the Ministry of Natural Resources and Forestry tended to involve concerns about the adequacy of its protection of habitats and endangered species, as well as issues with fishing and hunting licences. In one case we reviewed regarding permits for trapping on certain Crown lands, the Ministry agreed to clear up confusing information on its website about the types of trapping privileges it grants.

Environmental impact of wind turbines

Over the past year, we received **76** complaints about wind turbines – **53** of which were about the potential environmental impact of a single project in the municipality of Chatham-Kent, which has yet to be constructed but was approved by the Ministry of the Environment and Climate Change in June 2016. Ombudsman staff confirmed with the Ministry that it held public consultations on the project, during which concerns were raised about possible water contamination as a result of the project. The Ministry advised us that it had addressed these concerns by requiring monitoring of well water, groundwater and groundborne vibrations during construction and operation of the facility. As well, it required a complaint process be set up. We shared this information with the complainants.

Case summaries

Powerful gesture

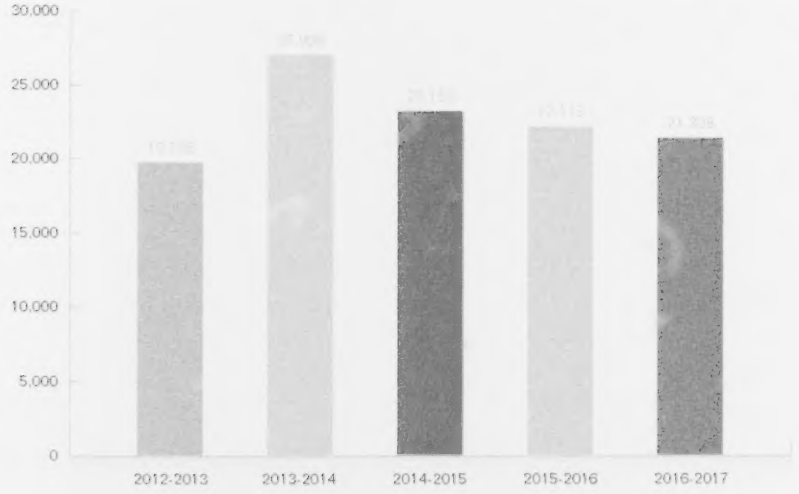
A man was upset that it took the Ontario Electricity Support Program six months to process his application, even though its website says it should take 6-8 weeks. Our inquiries determined that the delay was actually exacerbated by the man providing an outdated email address on his application; nevertheless, as a goodwill gesture, the Ontario Energy Board agreed to backdate his OESP credit six months.

Wires crossed

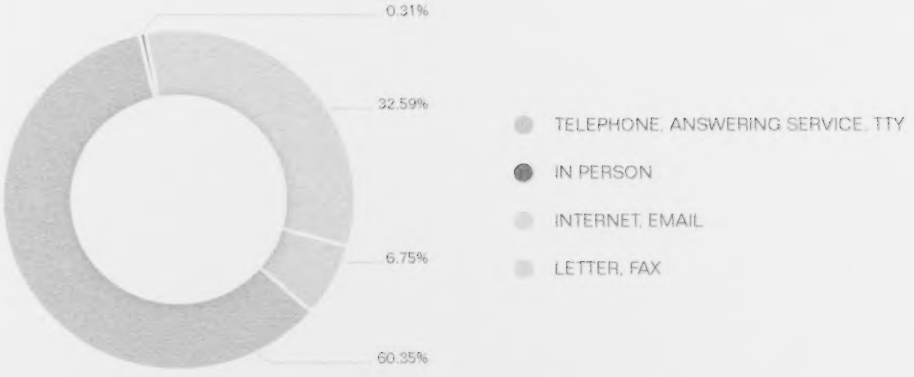
We received complaints from four residents in one building who each received catch-up bills from their municipal hydro company for **$2,000-5,000**. The company told us it had discovered a wiring error in the building that caused bills to go to the wrong units. A metering company had investigated, and sent bills and credits out to correct the errors. After we made inquiries with the company, it agreed to waive the amounts owing, since they had resulted from a mistake made by the company's staff.

APPENDIX
– CASE STATISTICS

TOTAL CASES RECEIVED, FISCAL YEARS 2012-2013 - 2016-2017



HOW CASES WERE RECEIVED, 2016-2017



21,328
cases received
in fiscal 2016-2017

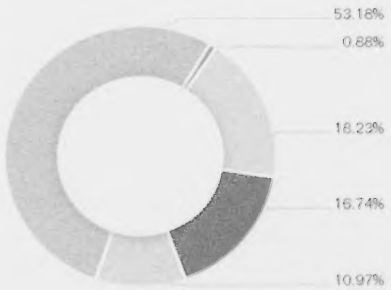
CASES CLOSED

12,770 cases
within the Ombudsman's authority

- INQUIRIES MADE OR REFERRAL GIVEN
- CLOSED AFTER OMBUDSMAN'S REVIEW
- RESOLVED WITH OMBUDSMAN INTERVENTION
- DISCONTINUED BY COMPLAINANT
- RESOLVED WITHOUT OMBUDSMAN INTERVENTION

7,940 cases
outside the Ombudsman's authority

- OUTSIDE ONTARIO
- PROVINCIAL OUTSIDE AUTHORITY*
- BROADER PUBLIC SECTOR OUTSIDE AUTHORITY**
- FEDERAL
- PRIVATE



116
consultations or questions

606
information submissions

*E.g., complaints about courts, Stewardship Ontario, Tarion
**E.g., complaints about hospitals, long-term care, children's aid societies, municipal police

CASES BY PROVINCIAL RIDING,* 2016-2017

AJAX-PICKERING	90
ALGOMA-MANITOULIN	163
ANCASTER-DUNDAS-FLAMBOROUGH-WESTDALE	83
BARRIE	172
BEACHES-EAST YORK	132
BRAMALEA-GORE-MALTON	100
BRAMPTON WEST	147
BRAMPTON-SPRINGDALE	86
BRANT	109
BRUCE-GREY-OWEN SOUND	138
BURLINGTON	84
CAMBRIDGE	129
CARLETON-MISSISSIPPI MILLS	115
CHATHAM-KENT-ESSEX	105
DAVENPORT	86
DON VALLEY EAST	60
DON VALLEY WEST	71
DUFFERIN-CALEDON	117
DURHAM	126
EGLINTON-LAWRENCE	97
ELGIN-MIDDLESEX-LONDON	129
ESSEX	111
ETOBICOKE CENTRE	86
ETOBICOKE NORTH	91
ETOBICOKE-LAKESHORE	121
GLENGARRY-PRESCOTT-RUSSELL	132
GUELPH	82
HALDIMAND-NORFOLK	122
HALIBURTON-KAWARTHA LAKES-BROCK	171
HALTON	110
HAMILTON CENTRE	145
HAMILTON EAST-STONEY CREEK	161
HAMILTON MOUNTAIN	108
HURON-BRUCE	131
KENORA-RAINY RIVER	93
KINGSTON AND THE ISLANDS	134
KITCHENER CENTRE	79
KITCHENER-CONESTOGA	84
KITCHENER-WATERLOO	87
LAMBTON-KENT-MIDDLESEX	113
LANARK-FRONTENAC-LENNOX AND ADDINGTON	178
LEEDS-GRENVILLE	141
LONDON NORTH CENTRE	121
LONDON WEST	105
LONDON-FANSHAWE	102
MARKHAM-UNIONVILLE	40
MISSISSAUGA EAST-COOKSVILLE	79
MISSISSAUGA SOUTH	84
MISSISSAUGA-BRAMPTON SOUTH	71
MISSISSAUGA-ERINDALE	92
MISSISSAUGA-STREETSVILLE	79
NEPEAN-CARLETON	99
NEWMARKET-AURORA	122
NIAGARA FALLS	169
NIAGARA WEST-GLANBROOK	122
NICKEL BELT	131
NIPISSING	125
NORTHUMBERLAND-QUINTE WEST	158
OAK RIDGES-MARKHAM	110
OAKVILLE	53
OSHAWA	200
OTTAWA CENTRE	107
OTTAWA SOUTH	75
OTTAWA WEST-NEPEAN	85
OTTAWA-ORLEANS	79
OTTAWA-VANIER	86
OXFORD	102
PARKDALE-HIGH PARK	89
PARRY SOUND-MUSKOKA	154
PERTH-WELLINGTON	66
PETERBOROUGH	120
PICKERING-SCARBOROUGH EAST	79
PRINCE EDWARD-HASTINGS	182
RENFREW-NIPISSING-PEMBROKE	121
RICHMOND HILL	56
SARNIA-LAMBTON	148
SAULT STE. MARIE	124
SCARBOROUGH CENTRE	73
SCARBOROUGH SOUTHWEST	108
SCARBOROUGH-AGINCOURT	44
SCARBOROUGH-GUILDWOOD	117
SCARBOROUGH-ROUGE RIVER	50
SIMCOE NORTH	170
SIMCOE-GREY	195
ST. CATHARINES	119
ST. PAUL'S	82
STORMONT-DUNDAS-SOUTH GLENGARRY	112
SUDBURY	140
THORNHILL	73
THUNDER BAY-ATIKOKAN	87
THUNDER BAY-SUPERIOR NORTH	124
TIMISKAMING-COCHRANE	164
TIMMINS-JAMES BAY	97
TORONTO CENTRE	102
TORONTO-DANFORTH	91
TRINITY-SPADINA	154
VAUGHAN	113
WELLAND	130
WELLINGTON-HALTON HILLS	85
WHITBY-OSHAWA	121
WILLOWDALE	86
WINDSOR WEST	179
WINDSOR-TECUMSEH	101
YORK CENTRE	97
YORK SOUTH-WESTON	78
YORK WEST	68
YORK-SIMCOE	88

*All cases where a postal code was available, including those related to municipalities, universities and school boards, but excluding correctional facilities.

TOP 15 PROVINCIAL GOVERNMENT ORGANIZATIONS AND PROGRAMS BY CASE VOLUME, 2016-2017*

		NUMBER OF CASES
1	FAMILY RESPONSIBILITY OFFICE	1,036
2	ONTARIO DISABILITY SUPPORT PROGRAM	892
3	WORKPLACE SAFETY AND INSURANCE BOARD	492
4	SOCIAL JUSTICE TRIBUNALS ONTARIO	238
5	DEVELOPMENTAL SERVICES PROGRAMS	216
6	DRIVER LICENSING	211
7	COLLEGES OF APPLIED ARTS AND TECHNOLOGY	161
8	OFFICE OF THE PUBLIC GUARDIAN AND TRUSTEE	150
9	SERVICE ONTARIO	136
10	ONTARIO STUDENT ASSISTANCE PROGRAM	134
11	ONTARIO PROVINCIAL POLICE	121
12	MUNICIPAL PROPERTY ASSESSMENT CORPORATION	116
13	TRANSPORTATION – MEDICAL REVIEW	116
14	ONTARIO HEALTH INSURANCE PLAN	115
15	LEGAL AID ONTARIO	111

**Excluding correctional facilities.*

TOP 10 CORRECTIONAL FACILITIES BY CASE VOLUME, 2016-2017

		NUMBER OF CASES
1	CENTRAL EAST CORRECTIONAL CENTRE	545
2	TORONTO SOUTH DETENTION CENTRE	444
3	CENTRAL NORTH CORRECTIONAL CENTRE	394
4	MAPLEHURST CORRECTIONAL COMPLEX	379
5	OTTAWA CARLETON DETENTION CENTRE	319
6	VANIER CENTRE FOR WOMEN	305
7	HAMILTON WENTWORTH DETENTION CENTRE	276
8	ELGIN MIDDLESEX DETENTION CENTRE	189
9	SOUTH WEST DETENTION CENTRE	158
10	NIAGARA DETENTION CENTRE	147

TOTAL CASES RECEIVED FOR PROVINCIAL GOVERNMENT MINISTRIES AND SELECTED PROGRAMS,* 2016-2017

MINISTRY OF ADVANCED EDUCATION AND SKILLS DEVELOPMENT		398
COLLEGES OF APPLIED ARTS AND TECHNOLOGY	101	
MINISTRY FUNDED SERVICE PROVIDER	12	
ONTARIO COLLEGE OF TRADES	28	
ONTARIO STUDENT ASSISTANCE PROGRAM	134	
PRIVATE CAREER COLLEGES BRANCH	22	
SECOND CAREER	35	
MINISTRY OF AGRICULTURE, FOOD AND RURAL AFFAIRS		13
MINISTRY OF THE ATTORNEY GENERAL		783
ALCOHOL AND GAMING COMMISSION OF ONTARIO	11	
CHILDREN'S LAWYER	42	
ENVIRONMENT & LAND TRIBUNALS ONTARIO	19	
HUMAN RIGHTS LEGAL SUPPORT CENTRE	12	
LEGAL AID CLINIC	15	
LEGAL AID ONTARIO	111	
OFFICE OF THE PUBLIC GUARDIAN AND TRUSTEE	159	
SAFETY LICENSING APPEALS AND STANDARDS TRIBUNALS ONTARIO	21	
SOCIAL JUSTICE TRIBUNALS ONTARIO	236	
SPECIAL INVESTIGATIONS UNIT	11	
MINISTRY OF CHILDREN AND YOUTH SERVICES		157
MINISTRY FUNDED SERVICE PROVIDER	37	
SPECIAL NEEDS PROGRAMS - CHILDREN	34	
YOUTH CUSTODY FACILITIES	20	
MINISTRY OF CITIZENSHIP AND IMMIGRATION		16
MINISTRY OF COMMUNITY AND SOCIAL SERVICES		2,196
DEVELOPMENTAL SERVICES PROGRAMS	216	
FAMILY RESPONSIBILITY OFFICE	1,035	
MINISTRY FUNDED SERVICE PROVIDER	61	
ONTARIO DISABILITY SUPPORT PROGRAM	892	
MINISTRY OF COMMUNITY SAFETY AND CORRECTIONAL SERVICES		4,216
CORRECTIONAL FACILITIES	3,998	
ONTARIO PROVINCIAL POLICE	121	
PRIVATE SECURITY AND INVESTIGATIVE SERVICES BRANCH	13	
PROBATION AND PAROLE	45	
MINISTRY OF ECONOMIC DEVELOPMENT AND GROWTH		1
MINISTRY OF EDUCATION		52
CHILD CARE QUALITY ASSURANCE AND LICENSING BRANCH	11	
MINISTRY OF ENERGY		120
INDEPENDENT ELECTRICITY SYSTEM OPERATOR	10	
ONTARIO ENERGY BOARD	99	
MINISTRY OF THE ENVIRONMENT AND CLIMATE CHANGE		116
DRIVE CLEAN PROGRAM	10	

*Total figures are reported for each provincial government ministry, including agencies and programs falling within its portfolio. Each government agency or program receiving 10 or more cases is also included.

TOTAL CASES RECEIVED FOR PROVINCIAL GOVERNMENT MINISTRIES AND SELECTED PROGRAMS,* 2016-2017

MINISTRY OF FINANCE		261
FINANCIAL SERVICES COMMISSION	36	
LIQUOR CONTROL BOARD OF ONTARIO	59	
MUNICIPAL PROPERTY ASSESSMENT CORPORATION	110	
ONTARIO LOTTERY AND GAMING	61	
MINISTRY OF GOVERNMENT AND CONSUMER SERVICES		280
CONSUMER PROTECTION BRANCH	17	
REGISTRAR GENERAL	94	
SERVICEONTARIO	136	
MINISTRY OF HEALTH AND LONG-TERM CARE		554
ASSISTIVE DEVICES	37	
COMMUNITY CARE ACCESS CENTRES**	35	
HEALTH PROFESSIONS APPEAL AND REVIEW BOARD	17	
HEALTH QUALITY ONTARIO - PATIENT OMBUDSMAN	16	
LOCAL HEALTH INTEGRATION NETWORKS	19	
MINISTRY FUNDED SERVICE PROVIDER	31	
NORTHERN HEALTH TRAVEL GRANT	12	
ONTARIO HEALTH INSURANCE PLAN	115	
ONTARIO PUBLIC DRUG PROGRAMS	65	
PERFORMANCE IMPROVEMENT AND COMPLIANCE BRANCH	19	
MINISTRY OF HOUSING		7
MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION		6
MINISTRY OF INFRASTRUCTURE		4
MINISTRY OF LABOUR		692
EMPLOYMENT PRACTICES BRANCH	29	
OCCUPATIONAL HEALTH AND SAFETY BRANCH	18	
OFFICE OF THE WORKER ADVISER	10	
ONTARIO LABOUR RELATIONS BOARD	30	
WORKPLACE SAFETY AND INSURANCE APPEALS TRIBUNAL	100	
WORKPLACE SAFETY AND INSURANCE BOARD	469	
MINISTRY OF MUNICIPAL AFFAIRS		11
MINISTRY OF NATURAL RESOURCES AND FORESTRY		54
LICENCES/TAGS	10	
MINISTRY OF NORTHERN DEVELOPMENT AND MINES		6
MINISTRY OF THE STATUS OF WOMEN		1
MINISTRY OF SENIORS AFFAIRS		1
MINISTRY OF TOURISM, CULTURE AND SPORT		18
MINISTRY OF TRANSPORTATION		475
DRIVER LICENSING	211	
METROLINX / GO TRANSIT	34	
TRANSPORTATION - MEDICAL REVIEW	116	
VEHICLE LICENSING	44	
TREASURY BOARD SECRETARIAT		4

***Outside of our jurisdiction after July 1, 2016.*

CASES RECEIVED ABOUT SCHOOL BOARDS, 2016-2017

TOTAL: 943

ENGLISH PUBLIC SCHOOL BOARDS	ALGOMA DISTRICT SCHOOL BOARD	3
	AVON MAITLAND DISTRICT SCHOOL BOARD	1
	BLUEWATER DISTRICT SCHOOL BOARD	22
	DISTRICT SCHOOL BOARD OF NIAGARA	29
	DISTRICT SCHOOL BOARD ONTARIO NORTH EAST	1
	DURHAM DISTRICT SCHOOL BOARD	27
	GRAND ERIE DISTRICT SCHOOL BOARD	15
	GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD	9
	HALTON DISTRICT SCHOOL BOARD	17
	HAMILTON-WENTWORTH DISTRICT SCHOOL BOARD	19
	HASTINGS & PRINCE EDWARD DISTRICT SCHOOL BOARD	9
	KAWARTHA PINE RIDGE DISTRICT SCHOOL BOARD	10
	LAKEHEAD DISTRICT SCHOOL BOARD	1
	LAMBTON KENT DISTRICT SCHOOL BOARD	8
	LIMESTONE DISTRICT SCHOOL BOARD	7
	NEAR NORTH DISTRICT SCHOOL BOARD	3
	OTTAWA CARLETON DISTRICT SCHOOL BOARD	80
	PEEL DISTRICT SCHOOL BOARD	29
	RAINBOW DISTRICT SCHOOL BOARD	20
	RENFREW COUNTY DISTRICT SCHOOL BOARD	5
	SIMCOE COUNTY DISTRICT SCHOOL BOARD	16
	SUPERIOR GREENSTONE DISTRICT SCHOOL BOARD	1
	THAMES VALLEY DISTRICT SCHOOL BOARD	26
	TORONTO DISTRICT SCHOOL BOARD	145
	TRILLIUM LAKELANDS DISTRICT SCHOOL BOARD	5
	UPPER CANADA DISTRICT SCHOOL BOARD	23
	UPPER GRAND DISTRICT SCHOOL BOARD	2
	WATERLOO REGION DISTRICT SCHOOL BOARD	15
	YORK REGION DISTRICT SCHOOL BOARD	40
	TOTAL	**583**
ENGLISH CATHOLIC SCHOOL BOARDS	ALGONQUIN AND LAKESHORE CATHOLIC DISTRICT SCHOOL BOARD	1
	BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD	2
	BRUCE GREY CATHOLIC DISTRICT SCHOOL BOARD	1
	CATHOLIC DISTRICT SCHOOL BOARD OF EASTERN ONTARIO	2
	DUFFERIN PEEL CATHOLIC DISTRICT SCHOOL BOARD	93
	DURHAM CATHOLIC DISTRICT SCHOOL BOARD	10
	HALTON CATHOLIC DISTRICT SCHOOL BOARD	2
	HAMILTON WENTWORTH CATHOLIC DISTRICT SCHOOL BOARD	
	HURON PERTH CATHOLIC DISTRICT SCHOOL BOARD	2
	HURON SUPERIOR CATHOLIC DISTRICT SCHOOL BOARD	3
	KENORA CATHOLIC DISTRICT SCHOOL BOARD	1
	LONDON DISTRICT CATHOLIC SCHOOL BOARD	9
	NIAGARA CATHOLIC DISTRICT SCHOOL BOARD	10
	NIPISSING PARRY SOUND CATHOLIC DISTRICT SCHOOL BOARD	1
	NORTHEASTERN CATHOLIC DISTRICT SCHOOL BOARD	1
	OTTAWA CATHOLIC SCHOOL BOARD	16
	PETERBOROUGH VICTORIA NORTHUMBERLAND AND CLARINGTON CATHOLIC DISTRICT SCHOOL BOARD	8
	RENFREW COUNTY CATHOLIC DISTRICT SCHOOL BOARD	1
	SIMCOE MUSKOKA CATHOLIC DISTRICT SCHOOL BOARD	2
	ST CLAIR CATHOLIC DISTRICT SCHOOL BOARD	5
	SUDBURY CATHOLIC DISTRICT SCHOOL BOARD	2
	THUNDER BAY CATHOLIC DISTRICT SCHOOL BOARD	4
	TORONTO CATHOLIC DISTRICT SCHOOL BOARD	71
	WATERLOO CATHOLIC DISTRICT SCHOOL BOARD	7
	WINDSOR ESSEX CATHOLIC DISTRICT SCHOOL BOARD	4
	YORK CATHOLIC DISTRICT SCHOOL BOARD	12
	TOTAL	**269**
FRENCH CATHOLIC SCHOOL BOARDS	CONSEIL DES ÉCOLES CATHOLIQUES DU CENTRE EST	5
	CONSEIL SCOLAIRE CATHOLIQUE DE DISTRICT DES GRANDES RIVIÈRES	2
	CONSEIL SCOLAIRE CATHOLIQUE DU NOUVEL ONTARIO	1
	CONSEIL SCOLAIRE CATHOLIQUE PROVIDENCE	1
	CONSEIL SCOLAIRE DE DISTRICT CATHOLIQUE CENTRE SUD	7
	CONSEIL SCOLAIRE DE DISTRICT CATHOLIQUE DE L'EST ONTARIEN	4
	TOTAL	**20**
FRENCH PUBLIC SCHOOL BOARDS	CONSEIL DES ÉCOLES PUBLIQUES DE L'EST DE L'ONTARIO	7
	CONSEIL SCOLAIRE VIAMONDE	5
	CONSEIL SCOLAIRE PUBLIC DU GRAND NORD DE L'ONTARIO	1
	TOTAL	**13**
SCHOOL AUTHORITIES	NO SCHOOL SPECIFIED	1
CASES WHERE BOARD NOT SPECIFIED		60

Note: Boards that were not the subject of any cases are not listed.

CASES RECEIVED ABOUT COLLEGES OF APPLIED ARTS AND TECHNOLOGY, 2016-2017

TOTAL: 181

ALGONQUIN COLLEGE	4
COLLÈGE BORÉAL	2
CAMBRIAN COLLEGE	4
CANADORE COLLEGE	3
CENTENNIAL COLLEGE	6
CONESTOGA COLLEGE	7
CONFEDERATION COLLEGE	2
DURHAM COLLEGE	12
FANSHAWE COLLEGE	8
FLEMING COLLEGE (SIR SANDFORD FLEMING COLLEGE)	3
GEORGE BROWN COLLEGE	13
GEORGIAN COLLEGE	9
HUMBER COLLEGE	14
LA CITÉ COLLÉGIALE	5
LAMBTON COLLEGE	4
LOYALIST COLLEGE	1
MOHAWK COLLEGE	11
NIAGARA COLLEGE CANADA	6
NORTHERN COLLEGE	1
SAULT COLLEGE	12
SENECA COLLEGE	8
SHERIDAN COLLEGE	13
ST. CLAIR COLLEGE	8
ST. LAWRENCE COLLEGE	4
CASES WHERE COLLEGE NOT SPECIFIED	1

Note: Colleges that were not the subject of any cases are not listed.

CASES RECEIVED ABOUT UNIVERSITIES, 2016-2017

TOTAL: 175

ALGOMA UNIVERSITY	3
BROCK UNIVERSITY	4
CARLETON UNIVERSITY	9
LAKEHEAD UNIVERSITY	8
LAURENTIAN UNIVERSITY	11
MCMASTER UNIVERSITY	15
OCAD UNIVERSITY	4
QUEEN'S UNIVERSITY	3
RYERSON UNIVERSITY	7
TRENT UNIVERSITY	6
UNIVERSITY OF GUELPH	7
UNIVERSITY OF ONTARIO INSTITUTE OF TECHNOLOGY	11
UNIVERSITY OF OTTAWA	10
UNIVERSITY OF TORONTO	28
UNIVERSITY OF WATERLOO	11
UNIVERSITY OF WINDSOR	8
WESTERN UNIVERSITY	11
WILFRID LAURIER UNIVERSITY	4
YORK UNIVERSITY	12
CASES WHERE UNIVERSITY NOT SPECIFIED	3

Note: Universities that were not the subject of any cases are not listed.

CASES RECEIVED ABOUT MUNCIPALITIES,* 2016-2017

TOTAL: 2,667

ADDINGTON HIGHLANDS, TOWNSHIP OF	5
ADELAIDE METCALFE, TOWNSHIP OF	2
ADJALA-TOSORONTIO, TOWNSHIP OF	11
ADMASTON/BROMLEY, TOWNSHIP OF	1
AJAX, TOWN OF	7
ALFRED AND PLANTAGENET, TOWNSHIP OF	3
ALNWICK/HALDIMAND, TOWNSHIP OF	1
AMARANTH, TOWNSHIP OF	2
AMHERSTBURG, TOWN OF	1
ARMOUR, TOWNSHIP OF	4
ASHFIELD-COLBORNE-WAWANOSH, TOWNSHIP OF	2
ASPHODEL-NORWOOD, TOWNSHIP OF	1
ASSIGINACK, TOWNSHIP OF	1
ATHENS, TOWNSHIP OF	3
ATIKOKAN, TOWN OF	2
AURORA, TOWN OF	2
AYLMER, TOWN OF	3
BALDWIN, TOWNSHIP OF	1
BANCROFT, TOWN OF	4
BARRIE, CITY OF	12
BAYHAM, MUNICIPALITY OF	4
BELLEVILLE, CITY OF	6
BILLINGS, TOWNSHIP OF	4
BLACK RIVER-MATHESON, TOWNSHIP OF	2
BLANDFORD-BLENHEIM, TOWNSHIP OF	5
BLUEWATER, MUNICIPALITY OF	1
BONFIELD, TOWNSHIP OF	2
BONNECHERE VALLEY, TOWNSHIP OF	2
BRACEBRIDGE, TOWN OF	4
BRAMPTON, CITY OF	26
BRANT, COUNTY OF	3
BRANTFORD, CITY OF	18
BRIGHTON, MUNICIPALITY OF	6
BROCK, TOWNSHIP OF	3
BROCKTON, MUNICIPALITY OF	2
BROCKVILLE, CITY OF	4
BROOKE-ALVINSTON, MUNICIPALITY OF	3
BRUCE MINES, TOWN OF	2
BRUCE, COUNTY OF	11
BRUDENELL, LYNDOCH AND RAGLAN, TOWNSHIP OF	1
BURLINGTON, CITY OF	12
CALEDON, TOWN OF	13
CALLANDER, MUNICIPALITY OF	2
CALVIN, MUNICIPALITY OF	3
CAMBRIDGE, CITY OF	31
CARLETON PLACE, TOWN OF	8
CASSELMAN, VILLAGE OF	3
CAVAN MONAGHAN, TOWNSHIP OF	3
CENTRAL ELGIN, MUNICIPALITY OF	2
CENTRAL FRONTENAC, TOWNSHIP OF	3
CENTRAL HURON, MUNICIPALITY OF	1
CENTRAL MANITOULIN, MUNICIPALITY OF	1
CENTRE HASTINGS, MUNICIPALITY OF	2
CENTRE WELLINGTON, TOWNSHIP OF	3
CHAMBERLAIN, TOWNSHIP OF	1
CHAMPLAIN, TOWNSHIP OF	2
CHAPLEAU, TOWNSHIP OF	2
CHATHAM-KENT, MUNICIPALITY OF	9
CHATSWORTH, TOWNSHIP OF	1
CLARENCE-ROCKLAND, CITY OF	2
CLARINGTON, MUNICIPALITY OF	4
CLEARVIEW, TOWNSHIP OF	4
COBALT, TOWN OF	2
COBOURG, TOWN OF	5
COCHRANE, TOWN OF	3
COLLINGWOOD, TOWN OF	8
CORNWALL, CITY OF	4
CRAMAHE, TOWNSHIP OF	3
DEEP RIVER, TOWN OF	4
DRUMMOND/NORTH ELMSLEY, TOWNSHIP OF	1
DRYDEN, CITY OF	1
DUFFERIN, COUNTY OF	2
DURHAM, REGIONAL MUNICIPALITY OF	34
DUTTON/DUNWICH, MUNICIPALITY OF	2
DYSART ET AL, MUNICIPALITY OF	1
EAR FALLS, TOWNSHIP OF	1
EAST FERRIS, MUNICIPALITY OF	1
EAST GARAFRAXA, TOWNSHIP OF	1
EAST GWILLIMBURY, TOWN OF	9
EAST HAWKESBURY, TOWNSHIP OF	1
EDWARDSBURGH/CARDINAL, TOWNSHIP OF	2
ELGIN, COUNTY OF	1
ELLIOT LAKE, CITY OF	6
EMO, TOWNSHIP OF	2
ERIN, TOWN OF	7
ESPANOLA, TOWN OF	3
ESSA, TOWNSHIP OF	2
ESSEX, COUNTY OF	1
ESSEX, TOWN OF	9
FORT ERIE, TOWN OF	10

Note: Municipalities that were not the subject of any cases are not listed.

CASES RECEIVED ABOUT MUNCIPALITIES,* 2016-2017

FORT FRANCES, TOWN OF	7
FRENCH RIVER, MUNICIPALITY OF	5
GANANOQUE, SEPARATED TOWN OF	4
GAUTHIER, TOWNSHIP OF	1
GEORGIAN BAY, TOWNSHIP OF	9
GEORGIAN BLUFFS, TOWNSHIP OF	3
GEORGINA, TOWN OF	6
GILLIES, TOWNSHIP OF	1
GODERICH, TOWN OF	1
GRAVENHURST, TOWN OF	4
GREATER MADAWASKA, TOWNSHIP OF	2
GREATER NAPANEE, TOWN OF	1
GREATER SUDBURY, CITY OF	64
GREENSTONE, MUNICIPALITY OF	5
GREY HIGHLANDS, MUNICIPALITY OF	3
GREY, COUNTY OF	7
GRIMSBY, TOWN OF	8
GUELPH, CITY OF	10
HALDIMAND COUNTY, COUNTY OF	6
HALTON HILLS, TOWN OF	3
HALTON, REGIONAL MUNICIPALITY OF	13
HAMILTON, CITY OF	86
HAMILTON, TOWNSHIP OF	3
HASTINGS HIGHLANDS, MUNICIPALITY OF	7
HASTINGS, COUNTY OF	8
HAVELOCK-BELMONT-METHUEN, TOWNSHIP OF	1
HAWKESBURY, TOWN OF	14
HIGHLANDS EAST, MUNICIPALITY OF	2
HILTON BEACH, VILLAGE OF	1
HORNEPAYNE, TOWNSHIP OF	1
HORTON, TOWNSHIP OF	3
HUNTSVILLE, TOWN OF	2
HURON SHORES, MUNICIPALITY OF	2
HURON-KINLOSS, TOWNSHIP OF	2
HURON, COUNTY OF	4
IGNACE, TOWNSHIP OF	2
INGERSOLL, TOWN OF	1
INNISFIL, TOWN OF	2
IROQUOIS FALLS, TOWN OF	1
JAMES, TOWNSHIP OF	1
JOHNSON, TOWNSHIP OF	2
KAPUSKASING, TOWN OF	1
KAWARTHA LAKES, CITY OF	20
KEARNEY, TOWN OF	4
KENORA, CITY OF	3
KILLALOE, HAGARTY AND RICHARDS, TOWNSHIP OF	3
KILLARNEY, MUNICIPALITY OF	3
KINCARDINE, MUNICIPALITY OF	4
KING, TOWNSHIP OF	2
KINGSTON, CITY OF	26
KINGSVILLE, TOWN OF	3
KIRKLAND LAKE, TOWN OF	11
KITCHENER, CITY OF	4
LAIRD, TOWNSHIP OF	2
LAKE OF BAYS, TOWNSHIP OF	1
LAMBTON SHORES, MUNICIPALITY OF	5
LAMBTON, COUNTY OF	6
LANARK HIGHLANDS, TOWNSHIP OF	1
LANARK, COUNTY OF	1
LARDER LAKE, TOWNSHIP OF	2
LASALLE, TOWN OF	6
LATCHFORD, TOWN OF	3
LEEDS AND GRENVILLE, UNITED COUNTIES OF	6
LEEDS AND THE THOUSAND ISLANDS, TOWNSHIP OF	4
LENNOX & ADDINGTON, COUNTY OF	2
LINCOLN, TOWN OF	6
LONDON, CITY OF	77
LOYALIST TOWNSHIP	1
LUCAN BIDDULPH, TOWNSHIP OF	1
MADAWASKA VALLEY, TOWNSHIP OF	3
MADOC, TOWNSHIP OF	2
MALAHIDE, TOWNSHIP OF	1
MANITOUWADGE, TOWNSHIP OF	8
MAPLETON, TOWNSHIP OF	1
MARATHON, TOWN OF	2
MARKHAM, CITY OF	10
MATTAWA, TOWN OF	2
MATTAWAN, MUNICIPALITY OF	5
MCDOUGALL, MUNICIPALITY OF	1
MCGARRY, TOWNSHIP OF	1
MCMURRICH/MONTEITH, TOWNSHIP OF	4
MEAFORD, MUNICIPALITY OF	8
MIDDLESEX CENTRE, MUNICIPALITY OF	9
MIDDLESEX, COUNTY OF	3
MIDLAND, TOWN OF	2
MILTON, TOWN OF	12
MINDEN HILLS, TOWNSHIP OF	4
MINTO, TOWN OF	1
MISSISSAUGA, CITY OF	59
MISSISSIPPI MILLS, CORPORATION OF THE MUNICIPALITY	11

CASES RECEIVED ABOUT MUNICIPALITIES,* 2016-2017

MONO, TOWN OF	1
MONTAGUE, TOWNSHIP OF	2
MOONBEAM, TOWNSHIP OF	2
MORRIS-TURNBERRY, MUNICIPALITY OF	2
MUSKOKA, DISTRICT MUNICIPALITY OF	7
NEEBING, MUNICIPALITY OF	2
NEW TECUMSETH, TOWN OF	6
NEWMARKET, TOWN OF	2
NIAGARA FALLS, CITY OF	23
NIAGARA-ON-THE-LAKE, TOWN OF	3
NIAGARA, REGIONAL MUNICIPALITY OF	32
NIPIGON, TOWNSHIP OF	1
NIPISSING, TOWNSHIP OF	1
NORFOLK, COUNTY	23
NORTH ALGONA WILBERFORCE, TOWNSHIP OF	6
NORTH BAY, CITY OF	16
NORTH DUMFRIES, TOWNSHIP OF	8
NORTH DUNDAS, TOWNSHIP OF	2
NORTH FRONTENAC, TOWNSHIP OF	1
NORTH GRENVILLE, MUNICIPALITY OF	1
NORTH HURON, TOWNSHIP OF	2
NORTH KAWARTHA, TOWNSHIP OF	3
NORTH MIDDLESEX, MUNICIPALITY OF	2
NORTH STORMONT, TOWNSHIP OF	3
NORTHEASTERN MANITOULIN AND THE ISLANDS, TOWN OF	1
NORTHERN BRUCE PENINSULA, MUNICIPALITY OF	6
NORTHUMBERLAND, COUNTY OF	4
OAKVILLE, TOWN OF	11
OLIVER PAIPOONGE, MUNICIPALITY OF	3
ORANGEVILLE, TOWN OF	2
ORILLIA, CITY OF	7
ORO-MEDONTE, TOWNSHIP OF	8
OSHAWA, CITY OF	36
OTONABEE-SOUTH MONAGHAN, TOWNSHIP OF	2
OTTAWA, CITY OF	123
OWEN SOUND, CITY OF	2
OXFORD, COUNTY OF	6
PARRY SOUND, TOWN OF	3
PEEL, REGIONAL MUNICIPALITY OF	60
PELEE, TOWNSHIP OF	1
PELHAM, TOWN OF	6
PEMBROKE, CITY OF	1
PENETANGUISHENE, TOWN OF	1
PERRY, TOWNSHIP OF	1
PERTH EAST, TOWNSHIP OF	2
PETAWAWA, TOWN OF	1
PETERBOROUGH, CITY OF	21
PETROLIA, TOWN OF	4
PICKERING, CITY OF	4
PICKLE LAKE, TOWNSHIP OF	4
PLYMPTON-WYOMING, TOWN OF	1
PORT COLBORNE, CITY OF	2
PORT HOPE, MUNICIPALITY OF	8
PRESCOTT AND RUSSELL, UNITED COUNTIES OF	4
PRESCOTT, SEPARATED TOWN OF	2
PRINCE EDWARD, COUNTY OF	5
PUSLINCH, TOWNSHIP OF	2
QUINTE WEST, CITY OF	4
RAINY RIVER, TOWN OF	1
RAMARA, TOWNSHIP OF	4
RED LAKE, MUNICIPALITY OF	1
RED ROCK, TOWNSHIP OF	2
RENFREW, COUNTY OF	1
RICHMOND HILL, TOWN OF	11
RIDEAU LAKES, TOWNSHIP OF	7
RUSSELL, TOWNSHIP OF	2
RYERSON, TOWNSHIP OF	2
SABLES-SPANISH RIVERS, TOWNSHIP OF	1
SARNIA, CITY OF	43
SAUGEEN SHORES, TOWN OF	4
SAULT STE. MARIE, CITY OF	17
SCHREIBER, TOWNSHIP OF	1
SCUGOG, TOWNSHIP OF	4
SEGUIN, TOWNSHIP OF	2
SELWYN, TOWNSHIP OF	2
SEVERN, TOWNSHIP OF	4
SHELBURNE, TOWN OF	1
SHUNIAH, MUNICIPALITY OF	4
SIMCOE, COUNTY OF	39
SMITHS FALLS, TOWN OF	5
SOUTH ALGONQUIN, TOWNSHIP OF	1
SOUTH BRUCE PENINSULA, TOWN OF	4
SOUTH BRUCE, MUNICIPALITY OF	1
SOUTH DUNDAS, MUNICIPALITY OF	2
SOUTH FRONTENAC, TOWNSHIP OF	6
SOUTH GLENGARRY, TOWNSHIP OF	5
SOUTH HURON, MUNICIPALITY OF	4
SOUTH RIVER, VILLAGE OF	1

CASES RECEIVED ABOUT MUNCIPALITIES,* 2016-2017

SOUTH WEST OXFORD, TOWNSHIP OF	1
SOUTHGATE, TOWNSHIP OF	3
SOUTHWEST MIDDLESEX, MUNICIPALITY OF	2
SOUTHWOLD, TOWNSHIP OF	1
SPANISH, TOWN OF	2
SPRINGWATER, TOWNSHIP OF	2
ST. CATHARINES, CITY OF	4
ST. CLAIR, TOWNSHIP OF	2
ST. MARYS, SEPARATED TOWN OF	1
ST. THOMAS, CITY OF	3
ST.-CHARLES, MUNICIPALITY OF	11
STORMONT, DUNDAS & GLENGARRY, UNITED COUNTIES OF	1
STRATFORD, CITY OF	6
STRATHROY-CARADOC, MUNICIPALITY OF	3
SUNDRIDGE, VILLAGE OF	1
TAY, TOWNSHIP OF	6
TECUMSEH, TOWN OF	1
TEHKUMMAH, TOWNSHIP OF	2
TEMAGAMI, MUNICIPALITY OF	4
TEMISKAMING SHORES, CITY OF	1
TERRACE BAY, TOWNSHIP OF	1
THE ARCHIPELAGO, TOWNSHIP OF	4
THE BLUE MOUNTAINS, TOWN OF	3
THE NATION, MUNICIPALITY	6
THE NORTH SHORE, TOWNSHIP OF	6
THESSALON, TOWN OF	1
THOROLD, CITY OF	1
THUNDER BAY, CITY OF	15
TILLSONBURG, TOWN OF	2
TIMMINS, CITY OF	22
TINY, TOWNSHIP OF	6
TORONTO, CITY OF	305
TRENT HILLS, MUNICIPALITY OF	5
TRENT LAKES, MUNICIPALITY OF	3
TYENDINAGA, TOWNSHIP OF	4
UXBRIDGE, TOWNSHIP OF	4
VAUGHAN, CITY OF	16
WAINFLEET, TOWNSHIP OF	2
WARWICK, TOWNSHIP OF	2
WASAGA BEACH, TOWN OF	14
WATERLOO, CITY OF	4
WATERLOO, REGIONAL MUNICIPALITY OF	16
WAWA, MUNICIPALITY OF	4
WELLAND, CITY OF	13
WELLINGTON, COUNTY OF	12
WEST ELGIN, MUNICIPALITY OF	2
WEST GREY, MUNICIPALITY OF	3
WEST LINCOLN, TOWNSHIP OF	10
WEST NIPISSING, MUNICIPALITY OF	9
WEST PERTH, MUNICIPALITY OF	1
WHITBY, TOWN OF	16
WHITCHURCH-STOUFFVILLE, TOWN OF	5
WHITESTONE, MUNICIPALITY OF	3
WILMOT, TOWNSHIP OF	5
WINDSOR, CITY OF	60
WOLLASTON, TOWNSHIP OF	3
WOOLWICH, TOWNSHIP OF	3
YORK, REGIONAL MUNICIPALITY OF	27
UNSPECIFIED	38
SHARED CORPORATIONS	
ALECTRA	11
BLUEWATER POWER DISTRIBUTION CORPORATION	1
COLLUS POWERSTREAM	2
CONSERVATION AUTHORITIES	28
ENERGY + INC	2
ERIE THAMES POWERLINES CORPORATION	2
ESPANOLA REGIONAL HYDRO DISTRIBUTION CORPORATION	4
ESSEX POWER CORPORATION	2
HORIZON UTILITIES	14
KITCHENER-WILMOT HYDRO INC.	3
LAKELAND POWER	3
OTTAWA RIVER POWER CORPORATION	1
POWERSTREAM INC.	19
VERIDIAN CONNECTIONS (VERIDIAN CORPORATION)	10
WATERLOO NORTH POWER	4
WESTARIO POWER	2
UNSPECIFIED	2
SHARED LOCAL BOARDS	
ALGOMA DISTRICT SERVICES ADMINISTRATION BOARD	1
DISTRICT OF COCHRANE SOCIAL SERVICES ADMINISTRATION BOARD	1
DISTRICT OF NIPISSING SOCIAL SERVICES ADMINISTRATION BOARD	4
DISTRICT OF PARRY SOUND SOCIAL SERVICES ADMINISTRATION BOARD	1
DISTRICT OF SAULT STE. MARIE SOCIAL SERVICES ADMINISTRATION BOARD	9
DISTRICT OF TIMISKAMING SOCIAL SERVICES ADMINISTRATION BOARD	7
KENORA DISTRICT SERVICES BOARD	8
MANITOULIN-SUDBURY DISTRICT SERVICES BOARD	4
NIAGARA DISTRICT AIRPORT COMMISSION	1
RAINY RIVER DISTRICT SOCIAL SERVICES ADMINISTRATION BOARD	6
THUNDER BAY SOCIAL SERVICES ADMINISTRATION BOARD	10
UNSPECIFIED	10

CASES RECEIVED ABOUT CLOSED MUNICIPAL MEETINGS, 2016-2017

CASES ABOUT MUNICIPALITIES WHERE OMBUDSMAN IS THE INVESTIGATOR	76
CASES ABOUT MUNICIPALITIES WHERE ANOTHER INVESTIGATOR HAS BEEN APPOINTED	33

SUMMARY OF COMPLETED INVESTIGATIONS

MUNICIPALITY	MEETINGS & GATHERINGS REVIEWED	PROCEDURAL VIOLATIONS FOUND	BEST PRACTICES SUGGESTED	ILLEGAL MEETINGS
AMHERSTBURG, TOWN OF	3	2	1	1
BROCKVILLE, CITY OF	1	2	2	1
ELLIOT LAKE, CITY OF	2	0	2	2
GEORGIAN BAY, TOWNSHIP OF	2	1	1	0
GODERICH RECREATIONAL BOARD OF MANAGEMENT	1*	1*	1	1*
GREATER SUDBURY, CITY OF	3	1	2	0
GRIMSBY, TOWN OF	1	1	2	1
HAMILTON ELECTION COMPLIANCE AUDIT COMMITTEE	1	0	1	1
HORNEPAYNE, TOWNSHIP OF	1	1	2	1
LAIRD, TOWNSHIP OF	1	0	1	0
LEEDS AND THE THOUSAND ISLANDS, TOWNSHIP OF	2	1	0	1
LONDON, CITY OF	3	0	0	0
NIAGARA DISTRICT AIRPORT COMMISSION	1	1	2	1
NIAGARA FALLS, CITY OF	1	1	1	1
NORFOLK, COUNTY OF	4	1	5	2
OSHAWA, CITY OF	1	0	2	1
RUSSELL, TOWNSHIP OF	1	1	0	1
SAULT STE. MARIE, CITY OF	1	0	0	0
TEMAGAMI, MUNICIPALITY OF	2	0	0	0
THE NATION, MUNICIPALITY OF	1	0	3	0
TIMMINS, CITY OF	3	6	1	2
WALKERTON BIA	1	1	2	0
WALKERTON BIA & MUNICIPALITY OF BROCKTON	3	0	2	1
WEST NIPISSING, MUNICIPALITY OF	1	1	0	0
WOOLWICH, TOWNSHIP OF	1	0	0	0

**This report did not focus on a meeting but on whether the board is subject to the open meeting rules.*

FINANCIAL SUMMARY

Our Office's budget for 2016-2017 was **$18.58 million** – unchanged from 2015-2016, when it was increased in recognition of our expanded mandate.

Our actual expenditures were **$13.52 million**, with continued spending toward our ongoing expansion as well as additional outreach. All unspent funds were returned to the provincial treasury.

	(IN THOUSANDS)
ANNUAL OPERATING EXPENSES	13,622
SALARIES AND WAGES	8,573
EMPLOYEE BENEFITS	1,922
COMMUNICATION AND TRANSPORTATION	313
SERVICES	2,056
SUPPLIES AND EQUIPMENT	758
MISCELLANEOUS REVENUE (RETURNED TO GOVERNMENT)	103
NET EXPENDITURES	**13,519**

Impartial
Confidential

2016
2017

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